

Master Plan Text Comments in

a. Numerical Order

b. Multiple Text Comments

TEXT #1

LAFAYETTE SQUARE ASSOCIATION

630 JULIA STREET

NEW ORLEANS, LOUISIANA 70130

(504) 524-5759

November 28, 2011

Ms. Yolanda Rodriguez
Executive Director
City Planning Commission
1340 Poydras Street, 9th Floor
New Orleans, LA 70112

DEC 15 2011 PM 1:56

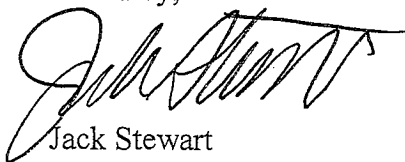
Dear Ms. Rodriguez:

After several Lafayette Square Association board meetings on the subject and conversations with our members and neighbors we herewith present our comments on the draft master plan amendments:

1. We are for the text amendment to the Transportation Chapter, Best Practices box heading which adds the phrase "shall be followed."
- 17 2. We are against the general thrust of what seems to be in the RTA's text amendment(s) to the Transportation Chapter as proposed in their letter to you of August 10, 2011, which appears to suggest that the RTA wants there to be no "conceptual" rules on transportation Best Practices in the City's Master Plan. Their position in that letter says that they want those details to be in their master plan. However, they pay no attention to their master plan, which they prepared in 1989.
- 13 3. We are for the text amendment that changes the proposed name of the High Density CBD Mixed-Use Neighborhood to the Upper CBD Mixed Use Neighborhood.
- 13 4. We are for the text amendment and map change that makes the Upper CBD into an Interim Zoning District (IZD) using the recent and revised Height Study and incorporating all of it into the Master Plan.


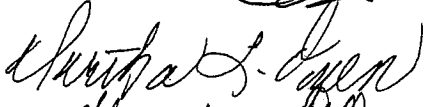
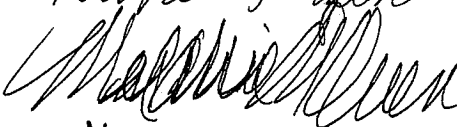
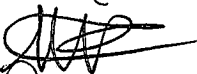

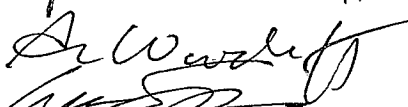

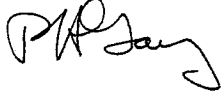


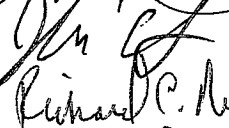







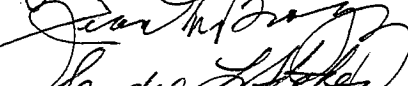
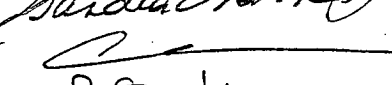
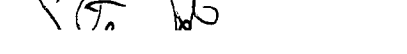
Attached is a list of supporters of these comments.

Sincerely,



Jack Stewart
President,
Lafayette Square Association

WE THE UNDESIGNED EVIDENCE THE CATASTROPHIC SCENARIO ASSOCIATION
LETTER TO THE CITY PLANNING COMMISSION ON MASTER PLAN AMENDMENTS
NAME SIGNATURE ADDRESS

Roland von Kurnatowski		818 St. Charles Ave. 610 Julia St.
Rich Look		
MARTHA L. OWEN		618 Julia St.
Melanie M. Owen		620 Julia St.
Mallory Chastant		614 Julia St.
Judith Woodruff		616 Julia St City
Ann Woodruff		630 Julia St.
GEORGE SCHMIDT		626 JULIA ST
Patricia H. Gay		628 Julia 20130
Troy Dupuis		111 S Peters St #111
Barbara Motley		535 JULIA ST, NO. 70130
PETER M TRAPLOW		217 MAGAZINE ST 70130
Michael Duplantier		820 Baromett 70113
JOHN H. CRAFT		829 BARONNE ST NO 70113
Richard C. Nesbitt		711 Camp Street NO 70130
Stephen A. Clesi, Sr.		622 Julia Street, NO 70130
Frank Clesi		622 OULI St., NO. 70130
FRANK E. CLESI, JR		622 Julia St. NO. 70130
Steve Martin		624 Julia St NO 70130
GEORGE HERO		913 MAGAZINE ST. NW 70130
JANA K NAPOLI		616 Julia St. 70130
Keith Hardie		157 St. Charles Suite 304 70130
JEAN M BRAGG		600 Julia St 70130
SANDRA STOKES		600 Julia - 4th Fl. 70130
CASSANDRA SHARPE		610 JULIA 70130 owner
CLARA A. L...		800 St. Charles Ave

Submitted By: French Quarter Citizens, Inc, VCPORA
Contact: Sue Klein 722-7557 NORTH RAMPART MAIN Street, INC

Reaffirm PD 1-2R and corresponding Text # 15 for the submission of the Vieux Carre FLUM request by CM Kristin Gisleson Palmer. To reiterate our position on our amendment applications originally submitted for Planing District 1b regarding text and FLUM changes. This would bring the text and FLUM in sync by utilizing the designations of **Historic Core Residential** and **Historic Core Mixed-Use**. **TEXT # 1**

Referring to the Transportation Chapter, reaffirm Text # 1 and #2 of the MP Amendment applications and Deny Sections of Text #17 as submitted by the RTA that suggests removing best practices and attempts to remove any transportation standards of practice were adopted by the citizens of New Orleans during the post Katrina planning and public engagement process.

- We are reiterating for the text amendment to the Transportation Chapter, Best Practices box heading which adds the phrase "shall be followed."
- We are against the general thrust of what seems to be in the RNA's text amendment(s) to the Transportation Chapter as proposed in their letter to you of 8/10/11, which appears to suggest that the RTA wants there to be no "conceptual" rules on transportation, including the Best Practices element. Their position in that letter says that they want those details to be in their master plan. However, they pay no attention to *their* master plan, which they prepared in 1989 and we urge you to retain these important elements of the Transportation Chapter.

Deny Item 3 of Text #8 of the MP Amendment application that would allow the City to change the Master Plan out of cycle. The whole idea of a Master Plan is to have a standard of urban planning that can not be altered by project or single request. We feel the annual review process addresses is sufficient for changes and protects citizen/stakeholder rights. Also, it is our understanding that this request would require a charter change and can not be altered via this annual process.

We also question the term of high density used for transportation nodes. Many people interpret this now as a usage term, but as a height term and ask that it could be expressed in a more clear manner.

There are a number of comments on Text #19 NPP:

PG 4, **NEO**: *A function of its neighborhood partnership and action is to facilitate communication with City departments and agencies and the City Council to promote positive outcomes to improve a neighborhood's quality of life. The office should act as an advocate for neighborhoods and residents to city government.*

PG 4, **Stakeholder**: *No person, business or non-resident entity shall take precedent over a resident and/or neighborhood association of the area in question.*

PG 4, **Relevant Stakeholder**: *A specific example is needed. This definition is too broad and the current text at the worst leaves the door open to possible abuse or at the least to cause a "log-jam" for proactive change.*

Pg 5, **Key Assumptions**:

7. *The public administrator has the responsibility to inform the general public of the local, state and national context that affects and/or influences local government decisions. Likewise, the general public so that has the responsibility to understand the local, state and even national context that affects and/or influences local government decisions*

7 a. *When, in being asked to make an administrative decision, the public administrator finds that there is not a clear, demonstrably obvious decision provided for in the law, he/she shall send the matter to the relevant city board or commission. In any case, when making an administrative decision, the public administrator shall cite the specific codes, laws, and/or ordinances that give legal weight to the decision.*

Pg 6, **Effective Public Participation** *for an area- specific issue must engage residents and businesses of that particular area. The general community shall participate on city-wide issues and not supersede the voice of area residents and businesses regarding area-specific issues.*

Pg 12, Safety and Permits: **NOTE:** *There needs to be much more detail in this plan. S&P has been the source of ill-informed decisions that have been very harmful to neighborhoods.*

Respectfully Submitted for the Record

Submitted By: French Quarter Citizens, INC., VCPORA
Contact: Sue Klein 722-7557 NORTH RAMPART MAIN Street, INC **TEXT #2**

Reaffirm PD 1-2R and corresponding Text # 15 for the submission of the Vieux Carre FLUM request by CM Kristin Gisleson Palmer. To reiterate our position on our amendment applications originally submitted for Planing District 1b regarding text and FLUM changes. This would bring the text and FLUM in sync by utilizing the designations of **Historic Core Residential** and **Historic Core Mixed-Use**.

Referring to the Transportation Chapter, reaffirm Text # 1 and #2 of the MP Amendment applications and Deny Sections of Text #17 as submitted by the RTA that suggests removing best practices and attempts to remove any transportation standards of practice were adopted by the citizens of New Orleans during the post Katrina planning and public engagement process.

- We are reiterating for the text amendment to the Transportation Chapter, Best Practices box heading which adds the phrase "shall be followed."
- We are against the general thrust of what seems to be in the RNA's text amendment(s) to the Transportation Chapter as proposed in their letter to you of 8/10/11, which appears to suggest that the RTA wants there to be no "conceptual" rules on transportation, including the Best Practices element. Their position in that letter says that they want those details to be in their master plan. However, they pay no attention to *their* master plan, which they prepared in 1989 and we urge you to retain these important elements of the Transportation Chapter.

Deny Item 3 of Text #8 of the MP Amendment application that would allow the City to change the Master Plan out of cycle. The whole idea of a Master Plan is to have a standard of urban planning that can not be altered by project or single request. We feel the annual review process addresses is sufficient for changes and protects citizen/stakeholder rights. Also, it is our understanding that this request would require a charter change and can not be altered via this annual process.

We also question the term of high density used for transportation nodes. Many people interpret this now as a usage term, but as a height term and ask that it could be expressed in a more clear manner.

There are a number of comments on Text #19 NPP:

PG 4, **NEO**: *A function of its neighborhood partnership and action is to facilitate communication with City departments and agencies and the City Council to promote positive outcomes to improve a neighborhood's quality of life. The office should act as an advocate for neighborhoods and residents to city government.*

PG 4, **Stakeholder**: *No person, business or non-resident entity shall take precedent over a resident and/or neighborhood association of the area in question.*

Pg 4, **Relevant Stakeholder**: *A specific example is needed. This definition is too broad and the current text at the worst leaves the door open to possible abuse or at the least to cause a "log-jam" for proactive change.*

Pg 5, **Key Assumptions**:

7. *The public administrator has the responsibility to inform the general public of the local, state and national context that affects and/or influences local government decisions. Likewise, the general public so that has the responsibility to understand the local, state and even national context that affects and/or influences local government decisions*

7 a. *When, in being asked to make an administrative decision, the public administrator finds that there is not a clear, demonstrably obvious decision provided for in the law, he/she shall send the matter to the relevant city board or commission. In any case, when making an administrative decision, the public administrator shall cite the specific codes, laws, and/or ordinances that give legal weight to the decision.*

Pg 6, **Effective Public Participation** *for an area- specific issue must engage residents and businesses of that particular area. The general community shall participate on city-wide issues and not supersede the voice of area residents and businesses regarding area-specific issues.*

Pg 12, Safety and Permits: **NOTE**: *There needs to be much more detail in this plan. S&P has been the source of ill-informed decisions that have been very harmful to neighborhoods.*

Respectfully Submitted for the Record

Master Plan Amendment Recommendations New Orleans Place Matters Working Group

Obesity is the second leading cause of preventable deaths in America and the obesity levels in Louisiana are among the highest in the country. According to a report published by the Trust for America's Health in July 2011, Louisiana has the 5th highest rate of adult obesity and the 4th highest rate of overweight and obese children in the nation.

Obesity is caused by an energy imbalance, that is, consuming more energy through food than what is expended through physical activity. The environment in which we live, work and play also has a major role in the obesity epidemic. In Orleans Parish, fresh, healthy food is difficult to access in many neighborhoods but unhealthy, energy dense food and beverages are pervasive. Many of the city's sidewalks are in disrepair and bike paths are scant, making non-active forms of transportation, like cars, the easy choice. Access to safe areas for physical activity are also out of reach by distance and cost for many residents, thus non-active, indoor forms of recreation are the safe option.

The New Orleans Place Matters Working Group commends the City Planning Commission for the policies currently included within the New Orleans Master Plan that combat obesity and support an environment conducive to active, healthy living. To augment this initiative, we recommend the City Planning Commission adopt additional policies published by expert bodies such as the Institute of Medicine along with the New Orleans Food Policy Advisory Committee, which are specifically written for local policy makers to address the obesity epidemic.

1. Improving Access to Healthy Foods.

In addition to the action items listed under Goal 4 "Establish and promote fresh-produce retail outlets within walking distance of all residents" in Chapter 8 of the Master Plan, we recommend that the City incorporate the following recommendations.

The New Orleans Place Matters Work Group recommends:

- a. Designated urban agriculture and/or community garden spaces.

The New Orleans Food Policy Advisory Committee recommends:

- a. Provide tax incentives to encourage the sale of fresh food.
- b. Adopt fresh food retailing as a priority for comprehensive neighborhood development and direct the Office of Recovery and Development

Administration to provide grants and loans to food retail projects located in target areas. This specifically addresses the re-establishment of D-CDBG funding for farmer's markets and community gardening.

Additional measures for healthy food and beverage access include the following recommendations from the Institute of Medicine:

- a. Mandate and implement strong nutrition standards for foods and beverages available in government-run or regulated after-school programs, recreation centers, parks, and child care facilities (which includes limiting access to calorie-dense, nutrient-poor foods).
- b. Adopt practices in city and parish hospitals that are consistent with the Baby-Friendly Hospital Initiative USA (United Nations Children's Fund/World Health Organization). This initiative promotes, protects, and supports breastfeeding through ten steps to successful breastfeeding for hospitals.
- c. Permit breastfeeding in public places and rescind any laws or regulations that discourage or do not allow breastfeeding in public places and encourage the creation of lactation rooms in public places.
- d. Develop incentive programs to encourage government agencies to ensure breastfeeding-friendly worksites, including providing lactation rooms.
- e. Require that plain water be available in local government-operated and administered outdoor areas and other public places and facilities.
- f. Adopt building codes to require access to and maintenance of fresh drinking water fountains (e.g., public restroom codes).

The New Orleans Place Matters Working Group recommends:

- a. Urge chain restaurants with 20 or more locations to be in compliance with the menu labeling components of the Patient Protection and Affordable Care Act of 2010.

2. Address the Surplus of Unhealthy Foods in our Everyday Environments.

The Institute of Medicine recommends:

- a. Implement a tax strategy to discourage consumption of foods and beverages that have minimal nutritional value, such as sugar-sweetened beverages.

- b. Adopt land use and zoning policies that restrict fast food establishments near school grounds and public playgrounds.
 - c. Implement local ordinances to restrict mobile vending of calorie-dense, nutrient-poor foods near schools and public playgrounds.
 - d. Implement zoning designed to limit the density of fast food establishments in residential communities.
 - e. Eliminate advertising and marketing of calorie-dense, nutrient-poor foods and beverages near school grounds and public places frequently visited by youths.
 - f. Create incentive and recognition programs to encourage grocery stores and convenience stores to reduce point-of-sale marketing of calorie-dense, nutrient-poor foods (i.e., promote "candy-free" check out aisles and spaces).
3. Raise awareness about the importance of healthy eating to prevent childhood obesity

The Institute of Medicine recommends:

- a. Develop media campaigns, utilizing multiple channels (print, radio, internet, television, social networking, and other promotional materials) to promote healthy eating (and active living) using consistent messages.

4. Encourage Physical Activity

In addition to the action items listed in Chapter 5, Chapter 7 and Chapter 11 of the Master Plan, we recommend that the City incorporate the following recommendations.

The Institute of Medicine recommends:

- a. Adopt a pedestrian and bicycle master plan to develop a long-term vision for walking and bicycling in the community and guide implementation.
- b. Adopt community policing strategies that improve safety and security of streets, especially in higher crime neighborhoods.
- c. Promote increased transit use through reduced fares for children, families, and students, and improved service to schools, parks, recreation centers, and other family destinations.
- d. Implement a traffic enforcement program to improve safety for pedestrians and bicyclists.
- e. Collaborate with school districts and other organizations to establish joint use of facilities agreements allowing playing fields, playgrounds, and recreation

centers to be used by community residents when schools are closed; if necessary, adopt regulatory and legislative policies to address liability issues that might block implementation.

- f. Create incentives for remote parking and drop-off zones and/or disincentives for nearby parking and drop-off zones at schools, public facilities, shopping malls, and other destinations.
- g. Improve stairway access and appeal, especially in places frequented by children.

5. Raise Awareness of the Importance of Increasing Physical Activity

The Institute of Medicine recommends:

- a. Develop a social marketing program that emphasizes the multiple benefits for children and families of sustained physical activity.
- b. Develop media campaigns, utilizing multiple channels (print, radio, internet, television, other promotional materials) to promote physical activity using consistent messages.

References

- Institute of Medicine (2009) Local Government Actions to Prevent Childhood Obesity.
<http://www.iom.edu/Reports/2009/Local-Government-Actions-to-Prevent-Childhood-Obesity.aspx>
- New Orleans Food Policy Advisory Committee (2008) Building Healthy Communities:
Expanding Access to Fresh Food Retail. <http://www.iom.edu/Reports/2009/Local-Government-Actions-to-Prevent-Childhood-Obesity.aspx>
- Trust for America's Health. (2011) *F as in Fat 2011 How Obesity Threatens America's Future*.
doi: <http://healthyamericans.org/assets/files/TFAH2011FasInFat10.pdf>

Paul Cramer

From: Yolanda W. Rodriguez
Sent: Wednesday, August 10, 2011 1:09 PM
To: Paul Cramer
Subject: FW:
Attachments: Requested changes to Master Plan Text.pdf

FYI

Communications to and from this e-mail address are subject to provisions of the state of Louisiana Public Records Act.

From: William A. Gilchrist
Sent: Monday, August 08, 2011 10:31 PM
To: Yolanda W. Rodriguez
Subject:

Yolanda,

I have attached the form and the requested text change as a pdf to this email. Below are comments from one of the staff in economic development, who really had more procedural issues, which I could not determine where to place in the text.

1. *Give the owner the right to assign his authority to pursue a necessary change to the master plan. Reason: What if an industrial/commercial property is for sale and the owner is out of town and/or indifferent to needed changes (for an ED purpose)? In order not to slow the process down it would be prudent to allow the owner to assign his authority to pursue a necessary change to the master plan.*

I suspect that item 1 below should be allowed under any agency or power of attorney relationship with a land owner. Is this prohibited under some specific legal category?

2. *Allow for the Office of Economic Development or its designee request a change of amendments out of cycle, in order to maintain the City competitiveness. Reason: What if there is a project that requires an amendment to enable their operation to be in zoning compliance for their selected site, and the City is in competition with two additional sites in other States. We feel that some flexibility should be added into the process to address such needs.*

I see the issue here, but am not sure of the remedy.

Let me know whether you have any questions about the attachment. I will have to get you the metes and bounds on other issue we discussed at end of day. I will call you in the morning.

Bill

8/10/2011

William A. Gilchrist, FAIA
City of New Orleans
Director of Place-Based Planning
1340 Poydras St. - 10th Floor
New Orleans, LA 70112
W: 504-658-8474
C: 504-202-4170

8/10/2011

Submitted By: French Quarter Citizens, Inc, VCPORA
Contact: Sue Klein 722-7554 NORTH RAMPART MAIN Street, INC **TEXT #8**

Reaffirm PD 1-2R and corresponding Text # 15 for the submission of the Vieux Carre FLUM request by CM Kristin Gisleson Palmer. To reiterate our position on our amendment applications originally submitted for Planing District 1b regarding text and FLUM changes. This would bring the text and FLUM in sync by utilizing the designations of **Historic Core Residential** and **Historic Core Mixed-Use**.

Referring to the Transportation Chapter, reaffirm Text # 1 and #2 of the MP Amendment applications and Deny Sections of Text #17 as submitted by the RTA that suggests removing best practices and attempts to remove any transportation standards of practice were adopted by the citizens of New Orleans during the post Katrina planning and public engagement process.

- We are reiterating for the text amendment to the Transportation Chapter, Best Practices box heading which adds the phrase "shall be followed."
- We are against the general thrust of what seems to be in the RNA's text amendment(s) to the Transportation Chapter as proposed in their letter to you of 8/10/11, which appears to suggest that the RTA wants there to be no "conceptual" rules on transportation, including the Best Practices element. Their position in that letter says that they want those details to be in their master plan. However, they pay no attention to *their* master plan, which they prepared in 1989 and we urge you to retain these important elements of the Transportation Chapter.

Deny Item 3 of Text #8 of the MP Amendment application that would allow the City to change the Master Plan out of cycle. The whole idea of a Master Plan is to have a standard of urban planning that can not be altered by project or single request. We feel the annual review process addresses is sufficient for changes and protects citizen/stakeholder rights. Also, it is our understanding that this request would require a charter change and can not be altered via this annual process.

We also question the term of high density used for transportation nodes. Many people interpret this now as a usage term, but as a height term and ask that it could be expressed in a more clear manner.

There are a number of comments on Text #19 NPP:

PG 4, **NEO**: *A function of its neighborhood partnership and action is to facilitate communication with City departments and agencies and the City Council to promote positive outcomes to improve a neighborhood's quality of life. The office should act as an advocate for neighborhoods and residents to city government.*

PG 4, **Stakeholder**: *No person, business or non-resident entity shall take precedent over a resident and/or neighborhood association of the area in question.*

Pg 4, **Relevant Stakeholder**: *A specific example is needed. This definition is too broad and the current text at the worst leaves the door open to possible abuse or at the least to cause a "log-jam" for proactive change.*

Pg 5, **Key Assumptions**:

7. *The public administrator has the responsibility to inform the general public of the local, state and national context that affects and/or influences local government decisions. Likewise, the general public so that has the responsibility to understand the local, state and even national context that affects and/or influences local government decisions*

7 a. *When, in being asked to make an administrative decision, the public administrator finds that there is not a clear, demonstrably obvious decision provided for in the law, he/she shall send the matter to the relevant city board or commission. In any case, when making an administrative decision, the public administrator shall cite the specific codes, laws, and/or ordinances that give legal weight to the decision.*

Pg 6, **Effective Public Participation** *for an area- specific issue must engage residents and businesses of that particular area. The general community shall participate on city-wide issues and not supersede the voice of area residents and businesses regarding area-specific issues.*

Pg 12, **Safety and Permits**: *NOTE: There needs to be much more detail in this plan. S&P has been the source of ill-informed decisions that have been very harmful to neighborhoods.*

Respectfully Submitted for the Record

TEXT # 8
8

MEMORANDUM

December 13, 2011

To: Ms. Yolanda W. Rodriguez
Executive Director
City Planning Commission
City of New Orleans

From: William E. Borah, Esq.

Re: **Should the Office of Economic Development, or its designee, be permitted to amend the Master Plan "out of cycle" to maintain the City's competitiveness?**

The short and definitive answer is "no." To permit the Office of Economic Development, or its designee, to amend the Master Plan "out of cycle" would constitute an illegal act as such a procedure would be contravention of the New Orleans Home Rule Charter. The language of Article V, Chapter 4, Section 5-404(4) of the Charter states:

At least once every five years, but not more often than once per calendar year, and at any time in response to a disaster or other declared emergency, the Commission shall review the Master Plan and shall determine, after one or more public hearings, whether the plan requires amendment or comprehensive revision. If amendment or comprehensive revision is required, the Commission shall prepare and recommend amendments or comprehensive revisions and readopt the plan in accordance with the procedures of this section. The Commission shall hold at least one public meeting for each planning district or other designated neighborhood planning unit affected by amendments or revision in order to solicit the opinions of citizens that live or work in that district or planning unit; it shall also hold at least one public hearing to solicit the opinions of citizens from throughout the community. In addition, it shall comply with the requirements of any neighborhood participation program that the City adopts by ordinance. Home Rule Charter, City of New Orleans, Art. V, Chap. 4, Sec. 5-404(4). (Emphasis added.)

Upon completion of the public hearings and meetings and following the adoption by resolution of the amendment or comprehensive revision, the Commission shall forward the amendment or revision to the City Council for adoption by ordinance. Within ninety (90) days of its receipt, the Council shall adopt the amendment or revision to the Master Plan, reject the amendment or revision, or propose modification. If it proposes any modification, the Council shall refer it to the Commission for public hearing and comment. The City Planning Commission shall consider and provide a recommendation to the City Council on the modification within sixty (60) days of receipt from the City Council. The City Council shall take final action on the proposed amendment or revision within

forty-five (45) days of receipt of the recommendation from the City Planning Commission. *Id.*

A principal achievement in the post-Katrina era was for New Orleans to move away from the ad hoc, dysfunctional planning process that had plagued it for decades. Called “planning by surprise” by some, classified as “kissing the ring” by others, the City Council, the Mayor, and ultimately the citizens of New Orleans approved amendments to the City Charter in 2008 to establish a responsible land use planning process to direct the city’s future development. Founded on the principal of citizen involvement, the core of this reform movement was that the city was required to complete a Master Plan and develop a planning process that public officials as well as private citizens were required to follow.

Permitting the city’s Office of Economic Development, or its designee, to amend the Master Plan “out of cycle,” or better said “at will,” for any reason, save “in response to disaster or other declared emergency,” would not only be illegal, but it would be an act in contravention of the purposes and intent of citizens, as well as public officials, that worked so hard over time to dramatically improved the planning process of New Orleans. Public officials, namely the Office of Economic Development, as well as private citizens, are required to adhere to the language of the City Charter, and the Charter clearly states you can amend the Charter “not more often than once per calendar year, and at any time in response to a disaster or other declared emergency.”

See attached American Bar Association article on the New Orleans Charter amendments.

STATE & LOCAL LAW NEWS

The Section serves as a collegial forum for its members, the profession, and the public to provide leadership and educational resources in urban, state, and local government law and policy.

Community Planning Under the Microscope

As the economy spits and sputters, community planning is often on the chopping block. Many states and local governments are cutting planning staff, reducing planning functions, and passing legislation that undermines good planning. Two lawyers with considerable community planning experience share their observations—Tom Pelham from Florida and Bill Borah from New Orleans. Both were instrumental in the planning systems they write about. Pelham led Florida's state planning agency for many years, while Borah drafted, advocated, and fought for New Orleans' new charter amendments, which give that community's plan the force of law. One commentary is hopeful; the other is a bleak reminder about the role of politics in planning.

New Orleans Charter Strengthens the Master Plan

By William E. Borah



William E. Borah is a New Orleans land use attorney, president of Smart Growth for Louisiana, and co-author of *The Second Battle of New Orleans: A History of the Vieux Carré Riverfront Expressway Controversy*.

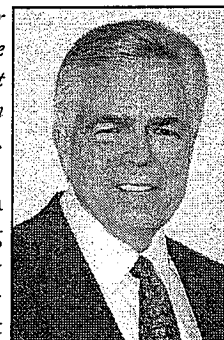
Using the New Orleans Home Rule Charter amendments proposed by the Bureau of Governmental Research¹ as a starting point, and working closely with Robert L. Zoeckler, Daniel R. Mandelker, Stuart Meck, and Paul H. Sedway,² I drafted charter amendments to require the city to prepare a Master Plan with the force of law. The work was authorized and supported by the nonprofit, Smart Growth for Louisiana. The charter changes subsequently received the support of the Steering Committee of the District One Unified New Orleans Plan, numerous civic and neighborhood organizations,³ and were presented to City Council President Jacquelyn

(continued on page 12)

Florida Comprehensive Planning System Encounters Stormy Weather

By Tom Pelham

Tom Pelham is a land use lawyer and planner who served as the secretary of the Florida Department of Community Affairs from 1987–91 and 2007–11.



Twenty-five years ago Florida enacted legislation creating the nation's most comprehensive planning system. The legislation required every local government to adopt a local comprehensive plan consistent with state statutory standards. These standards included a concurrency requirement that prohibited the issuance of local development permits unless adequate public facilities were available concurrent with the impacts of development. To ensure compliance with state planning standards, the Department of Community Affairs (DCA), the state land planning agency, was given the power and duty to review and approve all local plans and virtually all amendments to a community's plan. Thereafter, all local develop-

(continued on page 14)

In This Issue

- *Chair's Message*, page 3
- *Section News*
 - Toronto Fordham Society Luncheon, page 2
 - ABA Annual Meeting in Toronto, page 5
 - Nominating Committee Report, page 6
 - 2011 Fall Meeting in Tucson, page 7
- Section Innovative Thinking at Home in Portland, page 8
- *Supreme Court Watch: A Case of Recusal Refusal*, page 9

34. *Id.* at *17.

35. *Id.* at *8, *10.

36. *Id.* at *22.

37. *Id.*

38. *Id.* at *25.

39. *Id.* at *12, *16–*17, *21. He commented, “I’m not so much concerned about the vagueness as I am about the proposition that ethical rules adopted by legislatures for voting are subject to review by this Court or by any court under the First Amendment. This is the first case I’m aware of that we’ve ever had which makes such an allegation or—I’m not even aware of any other case in 220 years in Federal courts.” *Id.* at *12.

40. *Jacobellis v. Ohio*, 378 U.S. 184, 197 (1964) (Stewart, J.). Justice Potter Stewart’s often quoted statement was, “I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description [‘hard-core pornography’]; and perhaps I could never succeed in intelligibly doing so. But I know it when I see it, and the motion picture involved in this case is not that.”

41. Brief Amicus Curiae of the James Madison Center and the Center for Competitive Politics in Support of Respondent, 2011 WL 1253917 (U.S. Mar. 31, 2011), at *10.

New Orleans Charter

(continued from page 1)

Brechtel Clarkson, who agreed to take the lead in the adoption process.

On July 10, 2008, the City Council, on a 7–0 vote, adopted the amendments to the Home Rule Charter of the City of New Orleans. Just eight days later on July 18, the Mayor followed the Council’s lead by approving the ordinance. On November 4, 2008, citizens went to the polls in a general election and approved the charter amendments. Because of this voter approval and the resulting amendments to the charter, the manner in which the city plans for the use of its land will dramatically change, because the city is now required to prepare a Master Plan to direct its future development that will have the force of law—a plan that public officials as well as private citizens will be required to follow. Moreover, all land use regulations—including the zoning ordinances—will have to be consistent with the plan. Capital improvements, as well as the capital budget, also will be required to be consistent with the plan. And because of the approval of the amendments, citizens and neighborhoods will be structured into the planning process in a more comprehensive and inclusive manner.

This commentary reviews the charter amendments and explains why some sections were added and some were removed during the drafting process.

Description of the Master Plan

The City Planning Commission is required to prepare, adopt, amend, and recommend to the City Council a 20-year Master Plan for the physical development of the city. The plan consists of a number of elements, including Vision, Goals, and Policy; Land Use; Transportation; Housing; Community Facilities and Infrastructure; and Historic Preservation. These physical elements are to be interrelated with each other and provide overall guidance for city policy and priorities. The Land Use element consists of text setting forth land use issues and policies and a Future Land Use Map setting forth categories of allowable uses and density for the city. Home Rule Charter, City of New Orleans art. V, ch. 4, § 5-402 (1).

Preparation of the Master Plan

In preparing the Master Plan, the Planning Commission is required to hold at least one public meeting in each planning district in the city, or other designated neighborhood planning unit, to solicit the opinions of citizens that live or work in that district or planning unit. It is also required to hold at least one public hearing to solicit the opinions of citizens from throughout the community. Furthermore, the Planning Commission takes affirmative steps to involve neighborhoods in master planning activities and complies with the requirements of any neighborhood participation program that the city adopts by ordinance. *Id.* § 5-404 (1).

On completion of the public meetings and hearing(s) and completion of the Master Plan, and following the adoption of the plan by resolution, the Planning Commission will forward the Master Plan to the City Council for adoption by ordinance. The Council has the option to adopt the Master Plan, reject it, or propose modifications within 90 days. If it rejects the plan, or proposes any modification, the document returns to the Planning Commission for public hearing and comment, and a recommendation is provided back to the City Council within 60 days. *Id.* Final action is taken by the City Council within 45 days of receipt of the recommendation from the City Planning Commission. Should the City Council fail to act on the Master Plan as required by this section after its submission by the Planning Commission, or after a resubmission by the Commission after the Council has modified or rejected the Plan, the Master Plan initially submitted to the Council by the Commission shall be deemed adopted by the Council. *Id.*

Legal Effects of the Master Plan

Following adoption of the Master Plan, no public project or facility and no public utility, whether publicly or privately owned, shall be authorized or significantly altered except in conformity with the adopted Master Plan. *Id.* § 5-404(3)(a).

“Save Trees and Help Our Bottom Line!”

Sign up for the electronic *Urban Lawyer* by
August 31, 2011, for a chance to win a Fall 2011
or Spring 2011 Meeting registration waiver

Go to www.abanet.org/esubscription
and join your colleagues who have made
the decision to go electronic!

All land development regulations and amendments, including amendments to the zoning ordinance and the zoning map, as well as all other land use actions, including but not limited to, preliminary or final approval of a subdivision plan; site plan; approval of a planned unit development, or similar site specific development plan; approval of conditional use; granting of a variance, or a decision by local government to construct a capital improvement; and/or acquire land or community facilities, including transportation facilities, shall be consistent with the Master Plan adopted by the City Council. *Id.* § 5-404(3)(c).

A land use action is consistent with the Master Plan if it

1. furthers, or at least does not interfere with, the goals, policies, and guidelines, including design guidelines, that are contained in the Land Use Element of the Master Plan; and
2. is compatible with the proposed future land uses, densities, and intensities designated in the Land Use Element of the Master Plan. *Id.* § 5-404(3)(d).

It is important to note that the capital improvement plan and the capital budget must also be consistent with the Master Plan. *Id.* § 5-402(4).

Zoning Ordinance

The purpose of the zoning ordinance, its revisions as well as its amendments, is to promote the health, safety, aesthetics, and general welfare of the city and to implement the Master Plan. The ordinance can contain regulations on the location height, bulk, size of buildings, and other structures; the size of yards, courts, and other open spaces; the density of population; and the use of buildings, structures, and land for trade, industry, business, residence, or other purposes.

The zoning ordinance includes an official Zoning Map, and the ordinance and the map may be periodically amended by the City Council provided any amendments are consistent with the Master Plan. The text, diagrams, and maps in the Land Use Element of the Master Plan that address the location and extent of future land uses, and the zoning ordinance that implements those provisions, can also address urban form and design. They can differentiate neighborhoods, districts, and corridors, provide for a mixture of land uses and building types within each, and provide specific measures for regulating relationships between buildings, and between buildings and outdoor public areas, including streets, sidewalks, and other right-of-ways. *Id.* § 5-402(3)(c). Any zoning ordinance or amendments adopted by the Council must be consistent with the Master Plan. Inconsistent ordinances and amendments are null and void. *Id.* § 5-406(1).

Simultaneous with any amendment to the Master Plan, the Planning Commission reviews the comprehensive zoning ordinance to determine, after one or more public hearings, whether the ordinance requires revision and amendment. *Id.* § 5-406(3).

Mandatory Review of Master Plan

At least once every five years, but not more often than once per calendar year, and at any time in response to a disaster or other declared emergency, the Planning Commission is required to review the Master Plan and determine, after one or more public hearings, whether the plan requires amendment or comprehensive revision and, if so, recommend amendments or comprehensive revisions. The Planning Commission will hold at least one public meeting for each planning district or other designated neighborhood planning unit affected by amendments or revision in order to solicit the opinions of citizens that live or work in that district or planning unit; it also will hold at least one public hearing to solicit the opinions of citizens from throughout the community. The Planning Commission is also required to comply with the neighborhood participation program that the city may adopt in the future. *Id.* § 5-404(4).

Orientation and Continuous Education Training

Each member of the Planning Commission and Board of Zoning Adjustments is required to attend a minimum of six hours of orientation training concerning the duties and responsibilities of the Planning Commission or Board of Zoning Adjustments. *Id.* § 5-409(1). Each year they also will receive at least six hours of continuous education in any of the following subjects: land use, land use planning, land use law, zoning, transportation, community facilities, historic preservation, ethics, public utilities, parliamentary procedure, public hearing procedure, economic development, housing, public buildings, land subdivision, and powers and duties of the Planning Commission and Board of Zoning Adjustments. *Id.* § 5-409(2)–(3). If they fail to complete the required training, they can be removed by a majority vote of the Planning Commission or Board of Zoning Adjustment. *Id.* § 5-409(4).

Neighborhood Participation

The city is required to establish a system for organized and effective neighborhood participation in land use decisions and other issues that affect quality of life. The system must provide for timely notification to a neighborhood of any proposed land use action affecting the neighborhood and also provide the opportunity for meaningful neighborhood review and comment. *Id.* § 5-410.

The Drafting Process

To get increasing numbers of citizens on the Planning Commission and Board of Zoning Adjustments (BZA) who have knowledge about land use planning, the charter amendments initially authorized the City Council to create a nominating committee to nominate citizens to serve on the Planning Commission and BZA. When Planning Commission members objected because it led to “too many conflict of interest situations” and other citizens argued that the process was too cumbersome and interfered with the right of elected representatives to appoint members of the

Planning Commission, the provision was removed. The selection process remains as it is today and as it is defined in the City Charter. The Mayor appoints all the members of both bodies with the approval of the City Council—nine-year terms for Commission members and five-year terms for BZA members.

The second concern was the requirement that the Planning Commission would “hear and decide all applications for conditional use.” Under our current zoning ordinance, conditional use is defined as “a land use which because of its unique nature is compatible with the permitted land uses in a given zoning district only on a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through impositions of standards and conditions.” Placing a school in a single-family residential area is an example.

There are 100+ pages in the current zoning ordinance addressing conditional uses in some fashion. Historically, the community has used conditional uses as a way to amend the zoning ordinance without using the rezoning process. There has been significant community support for designating the Planning Commission as the final decision maker in conditional use applications to ease the City Council’s burden with such applications. But some community leaders, particularly those representing the less affluent areas of the city, strongly believe that the City Council—not the Planning Commission—should decide whether or not a conditional use permit should be issued. Their argument is that elected officials, unlike political appointees, can be held accountable by citizens for their actions, and decisions by such an elected body are consequently more equitable and just. The decision was made to remove all language pertaining to conditional use from the charter amendments. This decision drew added strength from the recognition that the most appropriate time and place to address the conditional use issue was when the city prepared its Master Plan and new zoning ordinance.

Endnotes

1. Bureau of Governmental Research, “Planning for a New Era: Proposed Charter Changes for Land Use Decision Making in New Orleans” (August 2006). Janet R. Howard, President & CEO, and Peter Reichard, Principal Author, drafted the Charter amendments. Daniel R. Mandelker, Howard A. Stamper Professor of Law, Washington University, St. Louis, Missouri, was legal consultant. William E. Borah, New Orleans, Louisiana; Thomas G. Pelham of Fowler White Boggs Banker, Tallahassee, Florida; and Edward J. Sullivan, Portland State University, Portland, Oregon, reviewed the Charter amendments.

2. Robert R. Zoeckler, Maddox, Nix, Bowman & Zoeckler, Conyers, Georgia, land use attorney, former associate city attorney, Atlanta, Georgia; Daniel R. Mandelker, Howard A. Stamper Professor of Law, Washington University, St. Louis, Missouri, co-author of *Planning and Control of Land Development: Cases and Materials* (7th ed. 2008) and author of *Land Use Law* (4th ed. 1997); Stuart Meek, FAICP, Director and Faculty Fellow, Edward J. Bloustein School of Planning and Public Policy, Rutgers, The State University of New Jersey, New Brunswick, New Jersey, General Editor, Principal Investigator and General Editor, *Growing Smart Legislative Guidebook: Model Statutes for Planning and the Management of Change* (American Planning Association 2002); and Paul H. Sedway, FAICP, Sedway Consulting, San Francisco, California, attorney/planner, former principal in planning firm of Sedway Cooke Associates.

3. Among the organizations supporting the Charter amendments were the *Times-Picayune*, *Gambit Weekly*, *New Orleans City Business*, Bureau of Governmental Research, and Business Council of New Orleans and the River Region, Downtown Development District, American Planning Association, the local chapter of the American Institute of Architects, National Trust for Historic Preservation, Smart Growth for Louisiana, League of Women Voters, Preservation Resource Center, Citizens for a Better New Orleans/Metropolitan Area Committee, Southern Christian Leadership Council, City-Wide Tenants Organization, and Vieux Carré Property Owners and Residents Association.

Florida Comprehensive Planning

(continued from page 1)

ment orders had to be consistent with the approved local plan. Citizens were given broad standing to challenge local plan amendments and development orders for lack of consistency or compliance with state requirements.

During the past decade, this planning system has come under increasing attack from citizens, the development industry, and the Republican-controlled state legislature. Some citizens sought a state constitutional amendment to address their concerns that local governments and DCA were approving too many plan amendments. For development groups and some politicians, the system became a convenient scapegoat for Florida’s serious economic woes. The planning system was also an obvious target for libertarian and tea party activists with an aversion for government and regulations in general. These forces combined to produce a turbulent political environment that led to the emasculation of DCA and the planning system by the Florida Legislature in its 2011 session.

The Hurricane Called Hometown Democracy

Some critics have long complained that implementation and enforcement of the Florida planning system has been too lax and that local governments have handed out plan amendments to developers “like Christmas candy.” These criticisms led to the formation of the Hometown Democracy movement several years ago. Using the citizen initiative process, the movement worked to get a proposed constitutional amendment on the ballot for the 2010 general statewide election. The proposed amendment provided that no local government could adopt a local comprehensive plan amendment until it had first been submitted to a public referendum vote.

The debate over the Hometown Democracy proposal raged across Florida like a hurricane. It was waged in the print and electronic news media and in local forums, with proponents and opponents making highly exaggerated arguments and demonizing each other. Although many pundits predicted that the proposal would be approved by the voters, it was soundly rejected by a margin of 67% to 33%. Despite its defeat, the Hometown Democracy proposal has had a substantial, largely negative, impact on the planning system.

The prospect of having to get referendum approval of plan amendments triggered a statewide stampede by developers and landowners to obtain plan amendments before the 2010 election. Local governments accommodated them by transmitting tens of thousands of plan amendments to the already-understaffed DCA in the four years leading up to the election. During this period, DCA approved over 2,500 large scale local plan map amendments covering about 2 million acres of land. These map amendments, many of which were approved after changes to comply with state law, increased potential residential development capacity by about 1 million residential units and potential nonresidential development capacity by 2.7 billion square feet. This potential develop-

ment capacity was added to local plans that already had large allocations of unused development capacity and that had, by some counts, produced more than 1 million vacant residential units.

Many of these Hometown Democracy-inspired plan amendments were ill-advised, were not needed to accommodate any foreseeable development demand, and undermined planning strategies in existing local plans. Also, the huge volume of amendments intensified frustrations with the lengthy review and approval process and provided more ammunition for enemies of the planning system.

The Perfect Storm

Although Florida voters rejected the Hometown Democracy proposal, the 2010 election produced an even greater threat to the state's planning system. Before the election, the majority party in the Florida Legislature had designated as the next Senate President and House Speaker legislators who were self-described extreme conservatives and who were not supportive of DCA or the state's planning laws. The election solidified their legislative leadership positions and increased Republican majorities in both houses of the state legislature. Many successful Republican candidates for the state legislature ran on a platform of abolishing the DCA.

Even more ominous for the planning system, Republican Rick Scott was elected governor. During his campaign, Governor Scott repeatedly attacked the state land planning agency and planning regulations as "job killers." He called for the dismantlement of the DCA and elimination of state oversight and review of local plans. As further justification, he cited the state's high unemployment rate and budgetary deficits.

In previous years, efforts by some legislators, usually in the House, to abolish or weaken the DCA and the planning system were blocked by a more moderate Senate or the governor. Given the similar views of the new governor and the legislative leadership and the state's economic and budgetary difficulties, many observers feared that the 2010 election had produced a "perfect storm" scenario that did not bode well for the state's planning system. Few people, however, predicted the magnitude of the damage inflicted by the 2011 legislature.

Have You Loaded Your Resume? Do It Now!!

The State and Local Government Law Section's exclusive law student resume database allows employers to find candidates that fit employers' specific needs. It is searchable and current, providing employers direct access to a pool of talented students and recent grads whose interest in and expertise for state and local government law is assured. If you are a job seeker, upload your resume now. If you are an employer looking for your next rising star, we invite you to meet our candidates! Check us out now at www.americanbar.org/groups/state_local_government.html.

The Tsunami of 2011

Sensing an historic opportunity, the development lobby in the state capital went to work. Lobbyists for development interests drafted planning legislation that rolled through the legislature like a tsunami, with little deliberation, few changes, and virtually no concessions to other stakeholder groups. When the storm subsided, the damage was almost incalculable. The following are some of the major provisions in the new legislation:

- The state land planning agency, DCA, was dismantled. Its Division of Comprehensive Planning will become the Division of Community Development, with reduced staff, in a new Department of Economic Opportunity in the Governor's Office.
- State review of virtually all local plan amendments will be greatly expedited and limited to adverse impacts on undefined state and regional resources and facilities. Most of Chapter 9J-5, the compliance rules for local plans and amendments, is repealed. The new Division will no longer make compliance decisions and is not required to even make comments on plan amendments, with some exceptions. The Division's role in the review and approval of large scale development in rural areas under the sector plan and rural land stewardship planning processes are also significantly restricted.
- The statutory requirements for local plans are greatly weakened. The fundamental requirements that local plans be financially feasible and based on demonstrated need and energy efficiency are eliminated, and the anti-sprawl requirements are weakened. Concurrency requirements for transportation, schools, and parks and recreation are no longer mandatory.
- The current statutory limitation of local plan amendments to two cycles a year is eliminated. Local governments are prohibited from requiring public referenda or supermajority votes for approval of plan amendments. Numerous local governments currently have such requirements.
- Citizen enforcement of the planning laws will be more difficult. If a third-party challenger with standing appeals a local plan amendment, the challenger will have to overcome the very difficult fairly debatable standard.

Conclusion

The new Florida planning legislation, HB 2707 and SB 2156, represents a major retreat from the state's 25-year commitment to comprehensive planning. It eliminates the state land planning agency and reduces its planning division to an arm of the governor's economic development office. It drastically reduces the scope of state review of local plan amendments and eliminates or weakens some major statutory requirements for local comprehensive plans. It weakens the ability of the DCA and citizens to enforce the state's planning laws, and it reduces the authority of local governments to protect the integrity of their plans through limitations on the approval of plan amendments.

Paul Cramer

TEXT 8

From: Leslie T. Alley
Sent: Tuesday, January 10, 2012 2:07 PM
To: Paul Cramer
Subject: Fw: Master Plan Amendments
Importance: High

FYI

Leslie T. Alley
Deputy Director
New Orleans City Planning Commission

Sent from my BlackBerry Wireless Handheld

From: William A. Gilchrist
Sent: Tuesday, January 10, 2012 01:18 PM
To: Leslie T. Alley
Cc: Yolanda W. Rodriguez
Subject: RE: Master Plan Amendments

Leslie:

Please note that we wish to withdraw the request for Amendment No. 8.3 –Request to allow for the Office of Economic Development or its designee to request a Master Plan change or amendments out of cycle in order to maintain the City's competitiveness.

Please let me know whether you have any questions.

Bill

William A. Gilchrist, FAIA
City of New Orleans
Director of Place-Based Planning
1340 Poydras St. - 10th Floor
New Orleans, LA 70112
W: 504-658-8474
C: 504-202-4170

1/10/2012



TEXT #9

GARY P. LAGRANGE, PPM
President and Chief
Executive Officer

August 1, 2011

New Orleans City Planning Commission:
Chairman George Amedee
Vice-Chairman Louis J. Volz, III
Member Lynes R. Sloss
Member Kelly Brown
Member Sandra Duckworth
Member Lois Carlos-Lawrence
Member Joseph Williams
Member Pamela Bryan
Member Craig Mitchell

1340 Poydras Street
Suite 900
New Orleans, Louisiana 70112

Re: *Plan for the 21st Century: New Orleans 2030 Master Plan*
Supplement to May 2011 CPC Submittal
Application Packet for Text and Map Change: "Mixed-Use Maritime Industrial"

Ladies and Gentlemen:

The Board of Commissioners of the Port of New Orleans (PONO) wishes to supplement the submittal sent to the City Planning Commission on May 11, 2011. The enclosed supplement further refines selected descriptions and maps for three of the original eight sites identified as in need of map changes. After discussions with port tenants leasing property on the Inner Harbor Navigation Canal (IHNC), we have identified a ninth site that merits your consideration for a map change which is included in the supplement.

Since our submittal in May, the CPC has formulated an application form and procedures for amendments to the text of the master plan and the Future Land Use Map. In accordance with procedure, a pre-application conference was conducted with CPC staff on Monday, July 25th. Enclosed is an application packet for a text change and a map change requesting a new land use category entitled "Mixed-Use Maritime Industrial" to be added to the master plan and a corresponding map change implementing the "Mixed-Use Maritime Industrial" to the northern end of the IHNC. The new land use category is intended to address transitional areas that contain a mixture of maritime-related traditional industries and commercial uses presently existing in that section of the IHNC, as well as address future development.

BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS

Post Office Box 60046 * New Orleans, Louisiana 70160 * Tel: 504-528-3203 * Fax: 504-528-3397

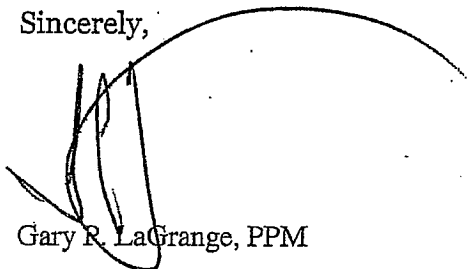
New Orleans City Planning Commission
August 1, 2011
Page 2

We further request review of the new "Mixed-Use Maritime Industrial District" relative to possible changes to the *Comprehensive Zoning Ordinance* (CZO). We look forward to participating in the public hearings to be conducted in the near future on changes to the *Plan for the 21st Century: New Orleans 2030 Master Plan* and the CZO.

Please feel free to contact Mr. Clay Miller, Director of Business Development for the PONO at (504) 528-3324, should you have any questions or wish to discuss the matter.

We appreciate your consideration of our requests and commend the City of New Orleans for this effort.

Sincerely,



Gary R. LaGrange, PPM

GPL/crp

cc: The Honorable Mitch Landrieu, Mayor
Jacquelyn Brechtel Clarkson, Council President and Councilmember-at-Large
Arnie Fielkow, Council Vice President and Councilmember-at-Large
Susan G. Guidry, District "A" Councilmember
Stacy Head, District "B" Councilmember
Kristin Gisleson Palmer, District "C" Councilmember
Cynthia Hedge-Morrell, District "D" Councilmember
Jon D. Johnson, District "E" Councilmember
Yolanda Rodriguez, CPC Executive Director

Enclosures:

Supplement to May 2011 Submittal

Application for Amendment to Text of Master Plan and Amendment to Future Land Use Map

TEXT #9

December 1, 2011

New Orleans City Planning Commission
1300 Perdido Street
New Orleans, LA 70112
cpcinfo@nola.gov

Re: Comments on Master Plan Amendments

This comment has reference to Text Change #9 submitted by the Port of New Orleans to add a new land use category called "Mixed Use Maritime Industrial." The proposed categorical change would be citywide and have impact on our neighborhood and planning districts 8 and lower part of 11. Our concern and request is both specific and citywide.

Such consideration has implications for master plan map changes PD1-4R, PD2-5R, PD6-3R, PD7-5R, PD7-7R, PD8-1R, PD9-1R, PD9-2R, PD9-3R, PD11-1R and PD12-1R. This is not an insignificant matter.

FIRST, we ask that the Mixed Use Maritime Industrial category include set-aside for open space for flood control. We suggest the same set-aside long required for residential areas, i.e. 40%.

We believe that the areas designated Parkland/Open Space suggested for change to Industrial should retain an even higher proportion of open space even if rezoned.

The open space set-aside for residential and commercial lots alone has grown inadequate for flood protection over the years. Since the system was designed, a lot more land has been developed, and storms have become lately more severe with prolonged rainfall and flood potential. Not all zoning has provided open space however.

Port/Industrial development has paved over a relatively large expanse of the highest ground in the City, increasing run-off from storms into residential areas and burdening the entire length of the subsurface drainage system. Maps show that 100 years of development of Port facilities on New Orleans' highest ground has eliminated much of the open space once available for rain and storm water absorption. This once relatively open land deferred large amounts of water from entering the SWB system of vaulted conduits, pipes, pumps and canals.

Much need for very costly drainage work in the city along Napoleon Avenue and in stronger pumps and broader channels seems the result of overburdening the system for many years, and more each year, by paving large areas for the port and supporting infrastructure without considering the need for broadly sharing rain and storm water storage capacity, a capacity need now increasing with storm patterns.

Port development (i.e. concrete surfaces, roadways, expansive metal roofs) downtown in Holy Cross has clearly decreased water storage capacity. With the development of the Alabo St Wharf, its extensions, paved support yards and huge roofs, street flooding has been a regular occurrence as the existing drainage cannot handle the increased load, nor is the residential set-aside open space of 40% of lot size adequate in these circumstances. There is a lot more water with a lot less place to absorb it.

Consequently, we believe some solution lies in the inclusion of open space set-aside as a function of Maritime Industrial zoning and most obviously for the new Mixed Use designation. We are all in this rain together, and, more than this, increased development especially along high port-controlled maritime industrial zoned land has greatly added to the costs of drainage but not yet shared in the remedy. We believe it is high time for inclusion of more players here, and that zoning is the most appropriate and realistic vehicle and, incidentally, one of the sole controls available to the city over land use by state corporations.

Zoning for mixed use should have definite set-aside open space requirements for storm water drainage. We recommend 40%.

It is a new day with new needs. We ask the CPC and staff to recognize the broad need for open space set-aside for storm water and provide for it in this mixed zoning category at a minimum, and most properly in all zoning. We believe there cannot be purple areas that are not also green.

We feel that the extension of land set aside for drainage is a broad and inclusive responsibility, and that this is both appropriate and necessary to do at this time through zoning. The clear first step is to include set aside requirement for Mixed Use Maritime Industrial zones, and we request that you do so.

SECOND, we anticipate that some uses allowed under the proposed Mixed Use Maritime Industrial (such as bars) would conflict with adjacent communities. Holy Cross Neighborhood does not want to see controversial use coming by the back door of this new and not-well understood category. This category seems vague and we have wondered about the experience of other cities with such zoning but gotten no data. Because of its lack of community drainage provisions, we realize this has not been completely thought-out with reference to our own community. We are sure that the Port has envisioned what it needs but it has been difficult to get a grip on it ourselves.

We need a mechanism to handle conflict before it starts. We request that the CPC deal with this matter of community empowerment now within the framework of this zoning and/or its administrative rules. We do not want to be fighting about this later. We live too close.

Our intent is to support the Port of New Orleans in its efforts to reinvent itself but to anticipate problems so that the changes are successful for all the community. One way it could certainly help is by taking responsibility for some of the water. Since communication between neighborhoods and state agencies are not consistent it is better to wisely craft zoning to anticipate.

We appreciate your attention to these matters.

Thank you.

Sincerely,

John Koeferl
Planning Committee
Holy Cross Neighborhood Association
5130 Chartres St
New Orleans, LA 70112

TEXT #9

Paul Cramer

From: Yolanda W. Rodríguez
Sent: Tuesday, December 06, 2011 5:04 PM
To: Lorraine Washington
Cc: glarange@portno.com; Andrew D. Kopplin; csgrant@nol.gov; Cary M. Grant; Cynthia H. Morrell; Jon D. Johnson; Kristin G. Palmer; Paul Cramer
Subject: RE: Request for Changes in Land Use Categories

Ms. Washington,

Thank you for taking the time to respond. The City Planning Commission will carefully consider your opposition to the Port's Master Plan Amendment request.

Sincerely,
 Yolanda Rodriguez
 Executive Director
 City Planning Commission

Communications to and from this e-mail address are subject to provisions of the state of Louisiana Public Records Act.

From: Lorraine Washington [mailto:lwash135@yahoo.com]
Sent: Tuesday, December 06, 2011 3:38 PM
To: Yolanda W. Rodriguez
Cc: glarange@portno.com; Andrew D. Kopplin; csgrant@nol.gov; Cary M. Grant; Cynthia H. Morrell; Jon D. Johnson; Kristin G. Palmer
Subject: Fw: Request for Changes in Land Use Categories

Dear Ms. Rodriguez,

This past September, your office conducted a city wide public meeting addressing amendments to the City Master Plan. I attended the meeting in the Lower 9th Ward when I learned that the Port of New Orleans requested an amendment to the master plan that will directly impact land uses of property owned by the Port of New Orleans in the Lower 9th Ward and New Orleans East. In the request by the Port the land uses for Port owned properties would be converted from parkland and open spaces to industrial maritime uses.

I requested more detail information from the President of the Port of New Orleans concerning his request for the sites located in the Lower 9th Ward and New Orleans East, but did not receive a response to my inquiries. Therefore, because I lack the required information to make an informed opinion to this request I am submitting an opposition to any changes in the land use map request made by the President of the Port of New Orleans.

Sincerely,

Lorraine Washington

----- Forwarded Message -----

From: Lorraine Washington <lwash135@yahoo.com>
To: "glarange@portmo.com" <glarange@portmo.com>
Cc: "ywrodriguez@nola.gov" <ywrodriguez@nola.gov>; "akopplin@nola.gov" <akopplin@nola.gov>;

12/7/2011

"mrbillups@nola.gov" <mrbillups@nola.gov>
Sent: Tuesday, October 18, 2011 10:08 AM
Subject: Request for Changes in Land Use Categories

Dear Mr. LaGrange

In a letter dated May 11, 2011 address to the City Planning Commision and a copy to the mayor and the city council, the Port of New Orleans requested changes in the Master Plan for certain sites in the Lower 9th Ward and New Orleans East. As I understand it, the city and the Port of New Orleans entered into a CEA agreement to develop a riverfront park for non maritime use in the Bywater District of New Orleans. I believe this endeavor will cost in the neighborhood of 30 million dollars to construct.

I would like to know did the Port make the request to zone areas in the Lower 9th Ward and New Orleans East as Industrial as a trade off for the Crescent Park venture along the river? Does the Port intend to compete in the international market with the upcoming expansion of the Panama Canal? If so, what impact will the Crescent park have on the plans for expansion to compete in the international market?

Thank you for your consideration and I look forward to your response.

Sincerely,

Lorraine Washington

12/7/2011

**Board of Commissioners of the Port Of New Orleans
Requested Amendments to *Plan for the 21st Century: New Orleans 2030***

City Planning Commission Public Hearing of December 13, 2011

Introduction

On May 11, 2011, the Board of Commissioners of the Port of New Orleans (PONO) formally requested map changes in land use categories for 8 PONO properties. On August 1, 2011, the request was supplemented with minor revisions to the maps and a 9th property was added for a requested map change along with a corresponding text change to add a new land use category.

Since that time, the PONO has worked with CPC staff, property owners and neighborhood associations to refine the PONO-requested changes to the master plan. This has consisted of numerous meetings, discussions and windshield surveys of the sites. Our goal is to match existing land use with the appropriate land use category in the master plan. Copies of the latest maps are attached to this document.

Summary of Requested Changes

The PONO and the CPC have reached agreement on changes in land use categories for site numbers 1 through 5.

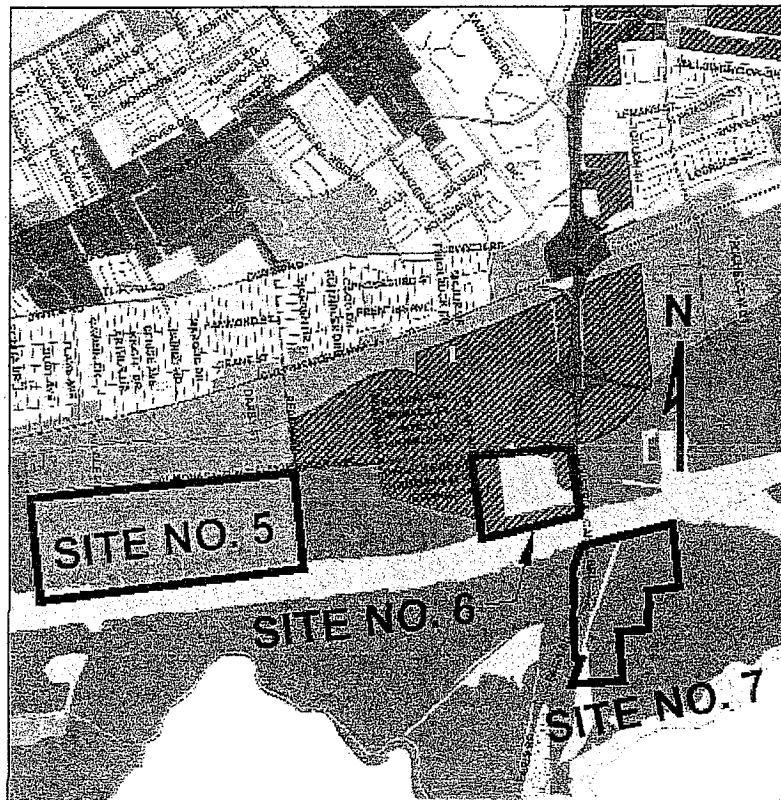
Site No.	Location	Existing Land Use Category	PONO Requested Land Use Category
1	Mississippi River and Henderson Street	Transportation, Parkland and Open Space and Mixed Use High Density	Industrial
2	Mississippi River and Elysian Fields	Parkland Open Space	Industrial
3	Mississippi River and Poland Avenue	Mixed Use High Density, Parkland and Open Space	Industrial
4	Mississippi River and Alabo/Andry Streets	Parkland and Open Space, Mixed Use Medium Density	Industrial with refinements to the map near the Andry Street Wharf to allow parkland and open space up to the crown of the levee while maintaining the integrity of the Andry Street Wharf.
5	North side of the Gulf Intracoastal Waterway (GIWW) and Elaine Street	Business Center	Industrial

**Board of Commissioners of the Port Of New Orleans
Requested Amendments to *Plan for the 21st Century: New Orleans 2030***

City Planning Commission Public Hearing of December 13, 2011

Site No.	Location	Existing Land Use Category	PONO Requested Land Use Category
6	North side of the GIWW and Paris Road Bridge	Planned Development Area	Industrial
7	South side of the GIWW and Paris Road	Natural Area	Industrial
8	Mississippi River/ Patterson Street between Carmack and Flanders Streets (Algiers)	Residential Low Density Pre War, Parkland and Open Space	Industrial
9	Inner Harbor Navigation Canal and Hayne Boulevard	Industrial	Mixed-Use Maritime Commercial

Site numbers 6 through 9 are currently under consideration.



Site No. 6

Site No. 6 is located north of the GIWW levee. The PONO purchased the site as industrial property in the 1970's. Property adjacent to site no. 6 to the east and west is categorized as Industrial. A large energy substation is located just east of the site. The

**Board of Commissioners of the Port Of New Orleans
Requested Amendments to *Plan for the 21st Century: New Orleans 2030***

City Planning Commission Public Hearing of December 13, 2011

site contains drainage infrastructure (canals and a pumping station) and is appropriate for industrial development, which is the land use category requested.

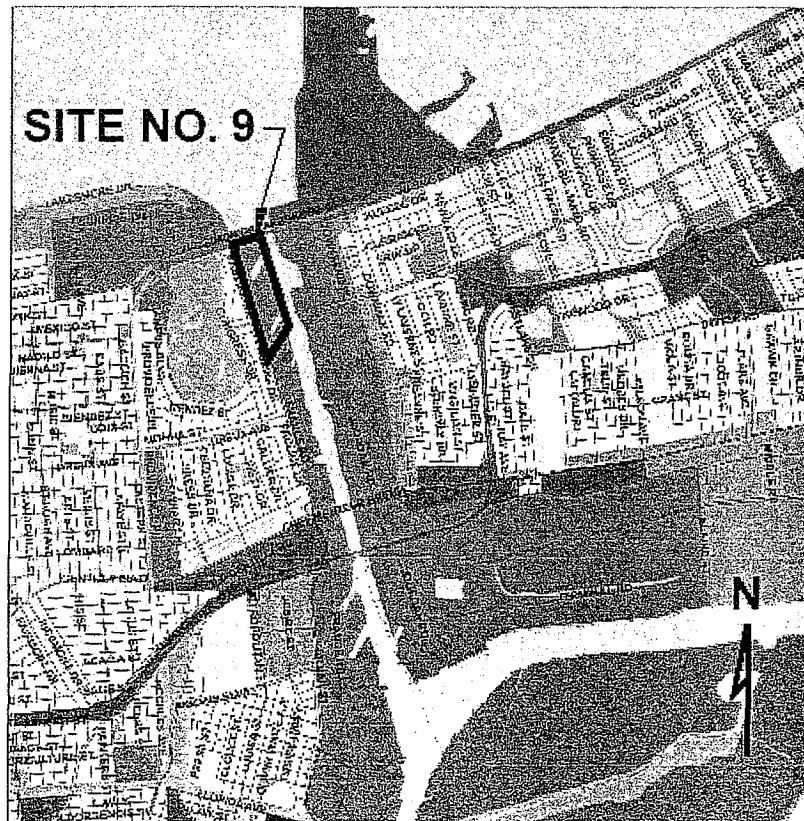
Site No. 7

Site No. 7 is located on the south side of the GIWW. The PONO also purchased this 200-acre site in the 1970's as industrial property. The request is for the site to be categorized as Industrial to permit maritime activities dependent on the shipping channel, which was completed in 1905.

Site No. 8

Site No. 8 is the site of the former Todd Shipyard and contains an active ship repair operation on the batture side of the property. A marshalling yard for the purposes of staging and handling cargo is located on Patterson Drive at Merrill Street. To the east of the marshalling yard, a series of abandoned warehouses on the site extend south. The PONO intends to demolish the warehouses over the next five years. The PONO is requesting the Industrial land use category for the site to maintain its viability to service existing ship repair operations.

Site No. 9



Board of Commissioners of the Port Of New Orleans
Requested Amendments to *Plan for the 21st Century: New Orleans 2030*

City Planning Commission Public Hearing of December 13, 2011

Site No. 9 is located in the northwest portion of the Inner Harbor Navigation Canal (IHNC). At the request of CPC staff, the site was amended to specifically include the area undergoing transition to marina commercial land uses. The site contains a successful marina, recreational vehicle park and clubhouse and could accommodate restaurants and hotels to complement the existing uses. The adjacent industrial uses are active and provide authentic scenery for people utilizing the existing marina-recreational type uses.

Unfortunately, the existing "Mixed-Use Maritime" land use category in the master plan includes single family residential in the range of permitted uses and specifies a unique geographic area that does not conform to the development on the IHNC. Single family or any other type of permanent residential development is not compatible with the IHNC.

For this reason the PONO is requesting a text change to create a new land use category, "Mixed-Use Maritime Commercial" to accommodate this development trend. The proposed text change follows the existing format of the master plan. A copy of the latest language for this proposal is attached to this document.

It is our understanding that existing CPC policy is to not create new land use categories. We appreciate the reasoning behind this policy and would like the opportunity to work with the CPC to come to a mutually agreeable solution to accommodate the transitional development of Site No. 9.

Board of Commissioners of the Port Of New Orleans
Requested Amendments to *Plan for the 21st Century: New Orleans 2030*

City Planning Commission Public Hearing of December 13, 2011

PURPOSE: To accommodate resort type development
related to boating and sport fishing.

TEXT CHANGE

1. New Land Use Category - Proposed Addition to Section 14.12

~~MIXED-USE~~

~~MIXED-USE MARITIME COMMERCIAL~~

Goal: Preserve and provide areas for maritime-related traditional uses and recognize maritime-related commercial development located in waterfront areas such as the Inner Harbor Navigation Canal (IHNC) north of Chef Menteur Highway.

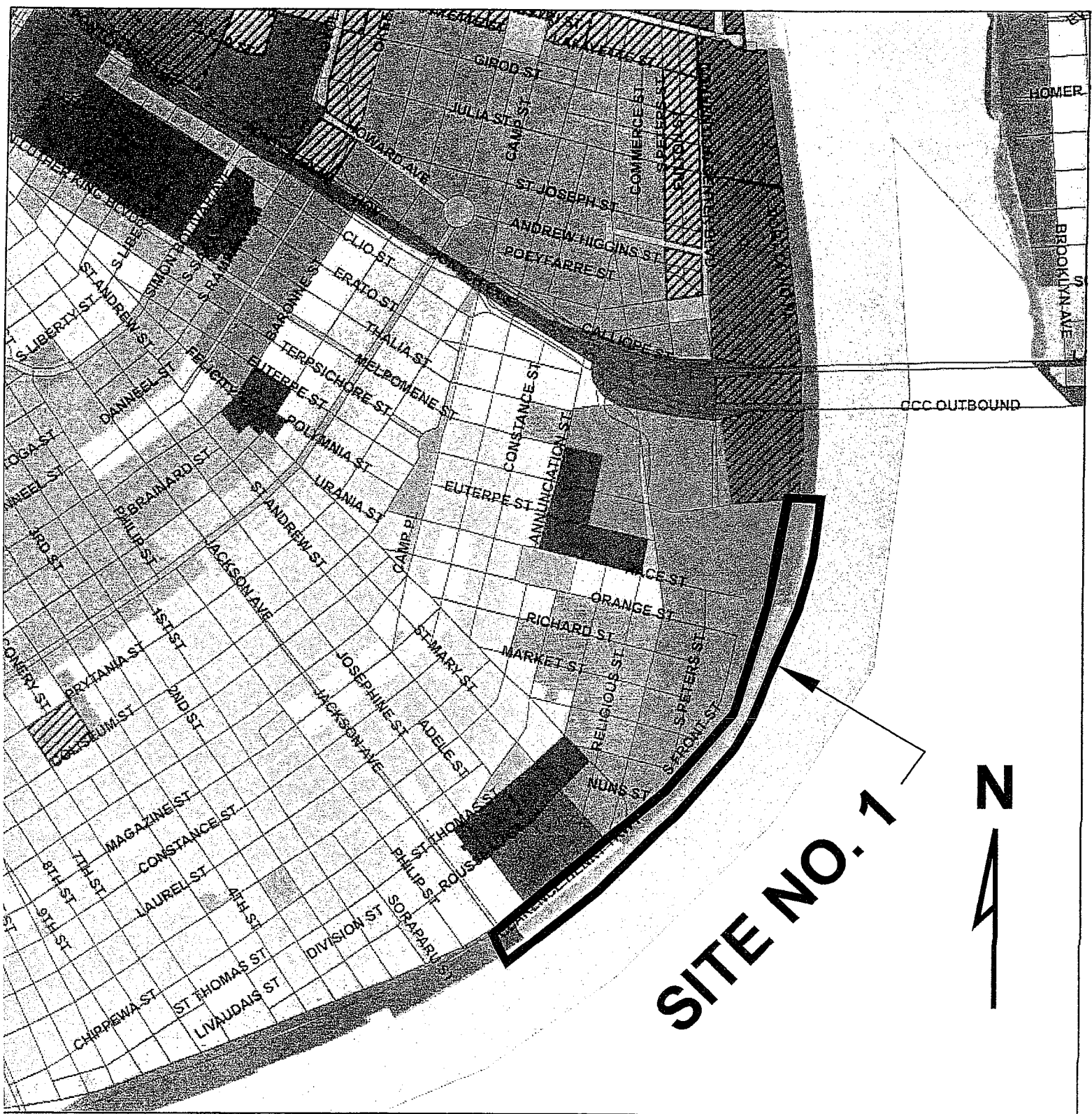
Range of Uses: Marinas, marina maritime-related commercial uses such as restaurants, retail establishments and hotels, yacht clubs, maritime associations, community sailing, recreational uses, recreational vehicle (RV) parks, boathouses, timeshare/transient vacation rentals, and maritime-related industrial uses.

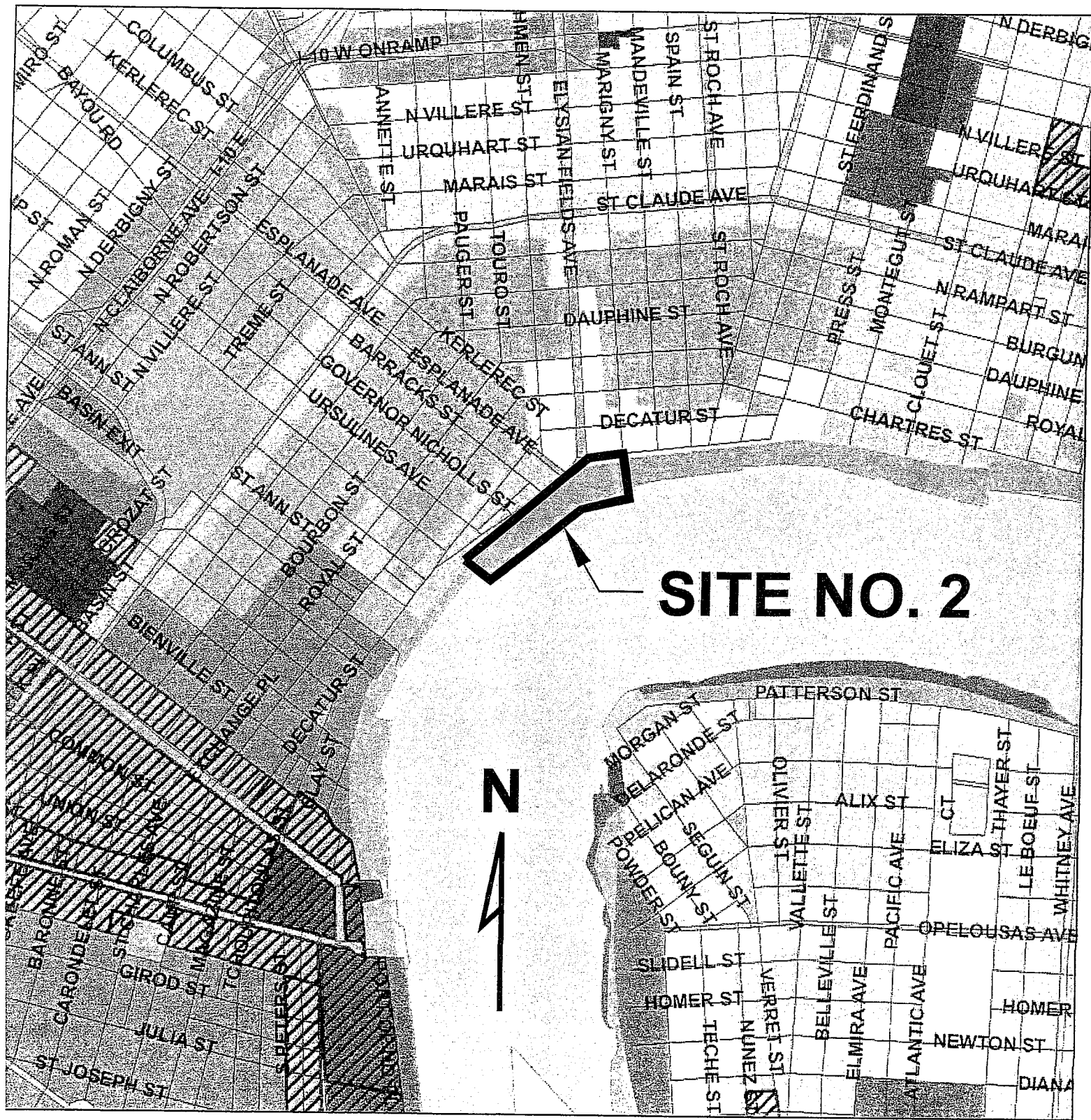
Development Character: Located adjacent to major waterways that are conducive to marine activities and waterfront vistas. Landscaping and buffers can be employed by non-industrial uses to ease transition to traditional maritime-related industrial uses with the understanding that attraction to such waterfront areas may include views of traditional maritime-related industrial operations.

MAP CHANGE – SITE NO. 9

A corresponding map change to **Planning District Land Use Map Nos. 6 and 9** to implement the new “Mixed-Use Maritime Commercial” land use category to that area currently categorized as “Industrial” with the following boundaries:

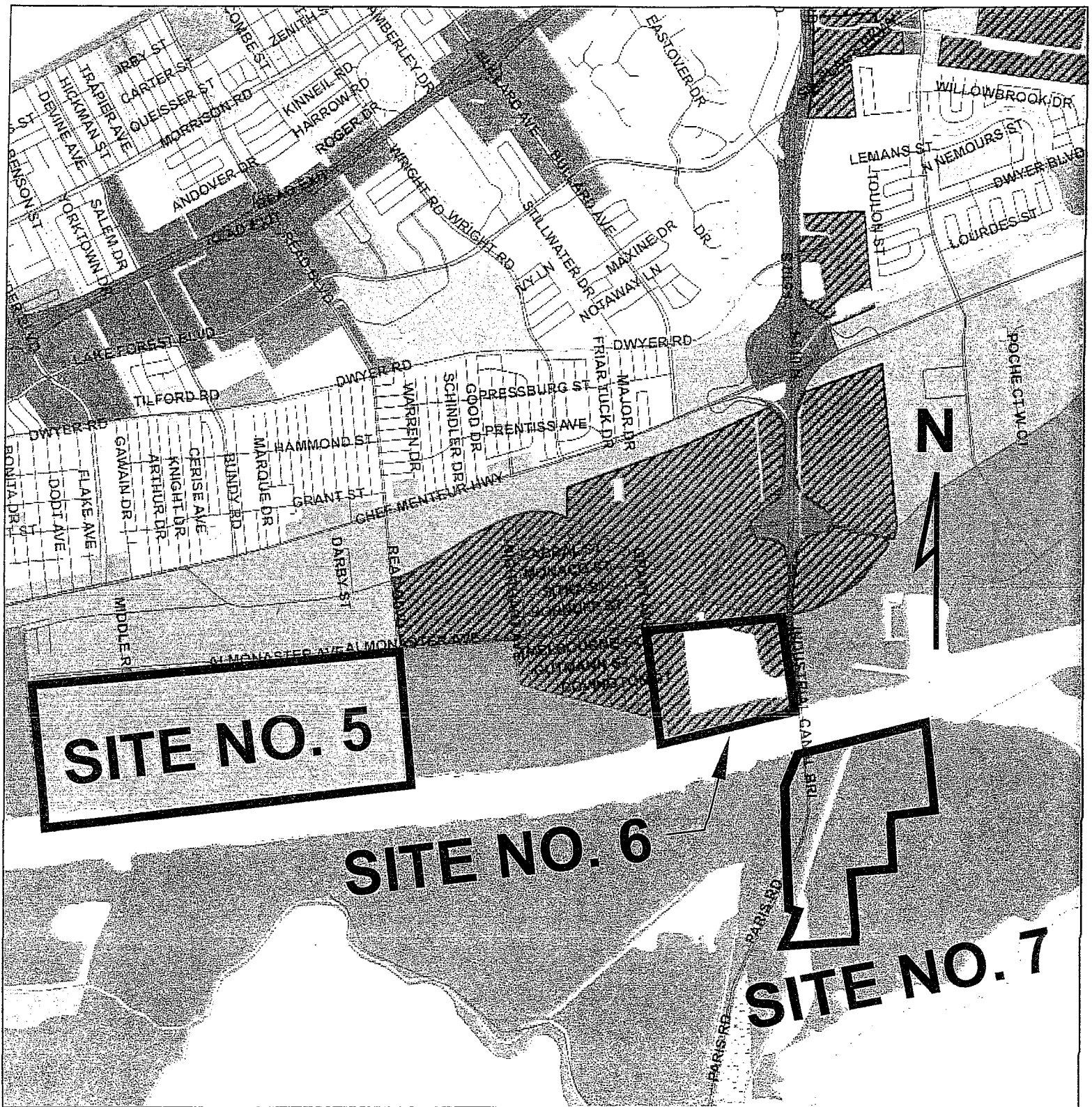
North:	Hayne Boulevard
South:	750' from the south end of Slip No. 5, which is situated at an angle to France Road generally located between Prentiss Avenue and Mendez Street.
West:	France Road
East:	IHNC



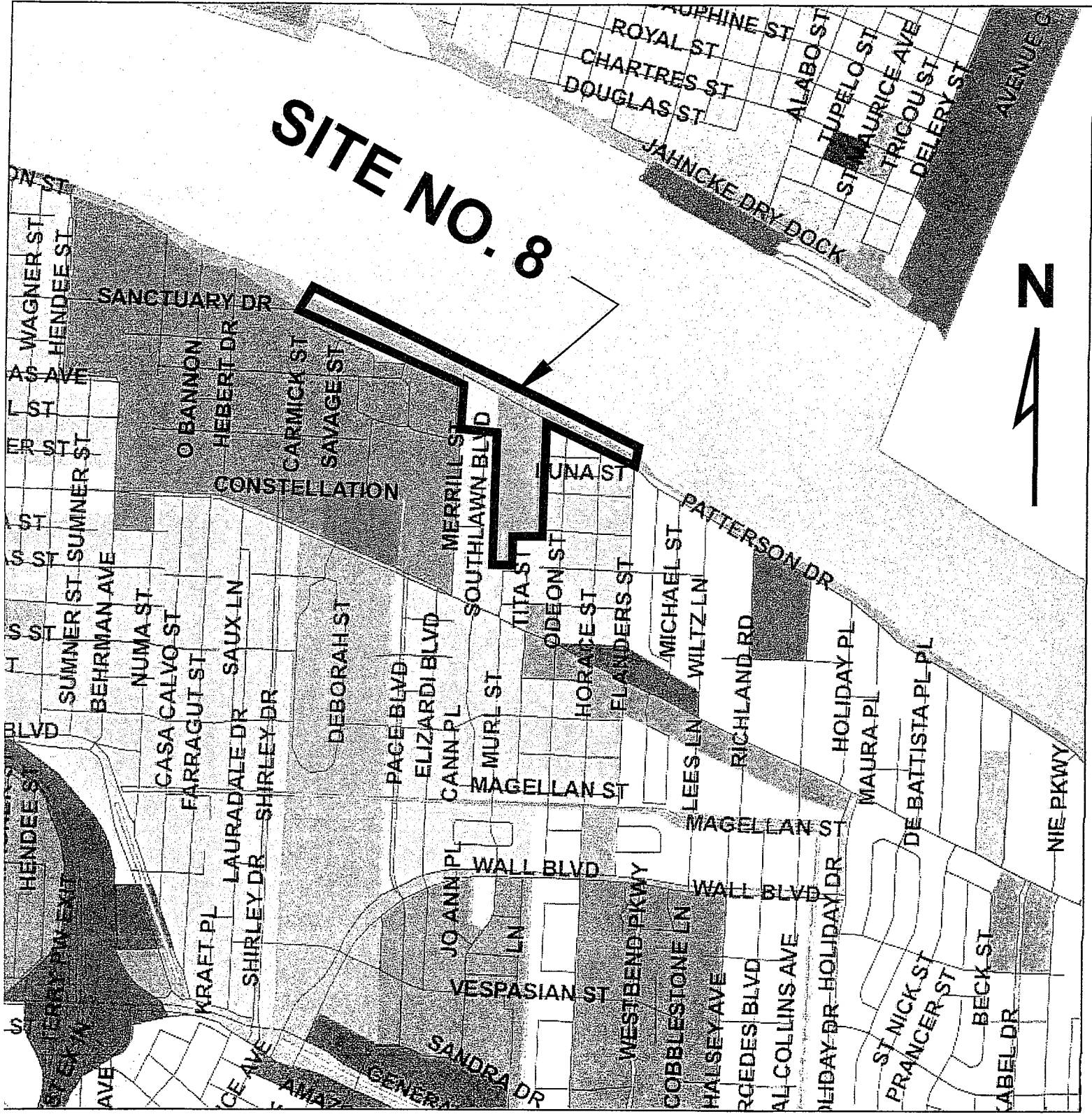


SITE NO. 2

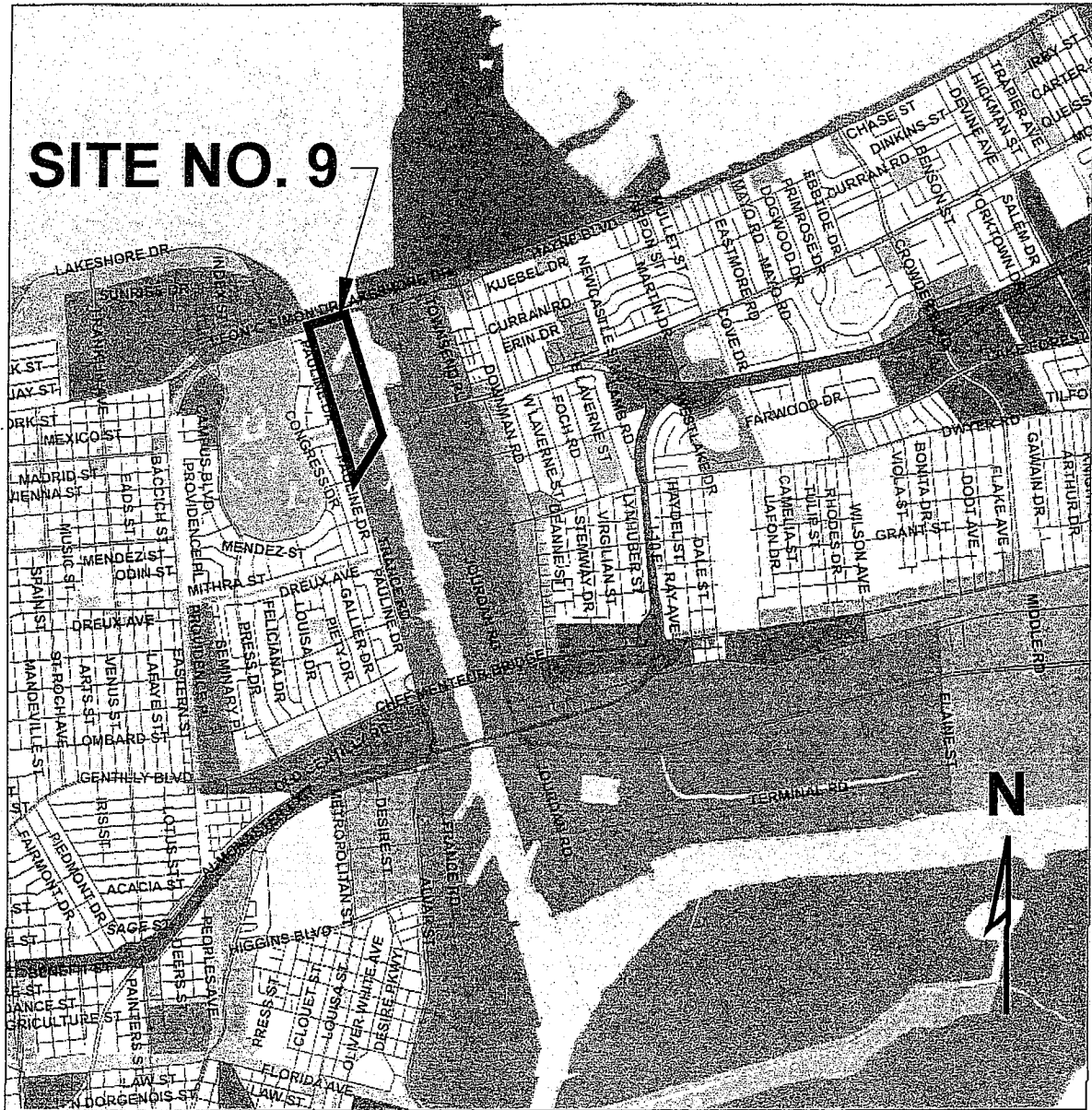




SITE NO. 8



SITE NO. 9



Paul Cramer

Text 9

From: Susan Klein [fqfemme@hotmail.com]
Sent: Wednesday, January 18, 2012 5:48 PM
To: Paul Cramer
Cc: Scott Schenck; Maddie; glagrange@portno.com; PORTlydia Jemison; PORTclay Miller; CPPdalton Savvoir; patg@portno.com; Lena Stewart
Subject: Comment and Request for MP Text and FLUM Amendment for Planning District 6 & 9
Importance: High
Attachments: CPC MP Amend Application FINAL.pdf; Staff Report Text Ammendment.doc

PD 6-3.R

Paul,

After speaking again today with community leaders, I would like you to present the original Amendment Application (attached) by the Port Authority of New Orleans for acceptance into the Master Plan for a new land use category of "Mixed-Use Maritime Industrial" (MP, Chapter 14, pg 14.2) and a map change (site 9 of Application). After spending nearly two years of meetings with City Planning, the community to be impacted, and the Port, it is hard to understand why the staff recommendation would be to "Retain current language in Master Plan".

The rationale for the staff report and recommendation (also attached) seems incongruent with respect to all the previous meetings we have had with the staff, the Port and the community. To recommend no change doesn't even fit the current use, especially with the permanent closure of the MRGO. Also, this can not be remedied in the new CZO, because application of other ordinances do not apply when listed uses are examined. At one point, the Port adjusted the attached Amendment Application in an attempt to avoid a new category. However, this really does not work with the required uses, or the community desires regarding the east or Jordan Road side of the Industrial Canal. Therefore, we are asking that you re-introduce the original Amendment Application as attached.

Council Member Cynthia Hedge-Morrell, as well as these neighborhood/business associations support this request: GCIA (Gentilly Civic Improvement Association [represents 20 neighborhoods and businesses]), ENONAC (East New Orleans Neighborhood Advisory Committee [represents 6 neighborhoods]), Kenilworth Civic Improvement Association, Pine Village Association, and Melia Homeowners Association. This Amendment Application meets all desired uses, encourages sustainable economic development, maintains some desired industrial use by the Port, and is wanted by the area residents and businesses.

In keeping with the deadline of February 1 for public comment, please present this to the Commissioners for their review and consideration for approval.

Thank You,
 Sue
 Representing Pontchartrain Landing
 6001 France Road
 New Orleans

Susan Klein
 1020 Toulouse St.
 New Orleans, LA 70112

722-7557

Susan Klein

1/20/2012

SUGGESTED AMENDMENTS

Excerpt:

Plan for the 21st Century: New Orleans 2030, Volume 2, Chapter 14 Land Use Plan – pages 14.9 through 14.14

Deleted: ¶

Residential

RESIDENTIAL SEMI-RURAL SINGLE-FAMILY

Deleted: SEMI-RURAL

Goal: Provide for single-family residential development that preserves existing semi-rural character in areas like Lower Algiers (Planning District 13).

Range of Uses: Single-family dwellings. Cluster development that preserves open space is preferred. Supporting public recreational and community facilities are also allowed.

Development Character: Large-lot single-family new development will have a minimum lot area of 2 acres per dwelling unit. Cluster development may result in increased densities on individual lots, but when taken with preserved open space, the overall density will not exceed one dwelling unit per 2 acres.

RESIDENTIAL PRE-WAR SINGLE-FAMILY

Deleted: PRE-WAR

Goal: Preserve the existing character and scale of pre-war (WWII) single-family residential areas of the city and allow for compatible infill development.

Range of Uses: Single-family dwellings and supporting public recreational and community facilities allowed (e.g., schools and places of worship).

Deleted: i.e.

Development Character: New development will fit the character and scale of surrounding single-family residential areas where structures are typically located on smaller lots and have small front and side setbacks. Maximum density of 15 units/acre.

RESIDENTIAL POST-WAR SINGLE-FAMILY

Deleted: POST-WAR

Goal: Preserve the existing character and scale of low density single-family residential in post-war (WWII) areas of the city and allow for compatible infill development.

Range of Uses: Single-family dwellings and supporting public recreational and community facilities allowed (e.g., schools and places of worship).

Deleted: i.e.

Development Character: New development will fit with the character and scale of surrounding neighborhoods where single- and two-family residential structures are typically set back away from the street on larger lots than in older, pre-war neighborhoods. Maximum density of 10 units/acre.

Deleted: 0

RESIDENTIAL PRE-WAR LOW DENSITY

Deleted: PRE-WAR

Goal: Preserve the scale and character of pre-war (WWII) residential neighborhoods of lower density where the predominant use is single and two-family residential and allow for compatible infill development. Discourage the development of additional multifamily housing that is out of scale with existing character.

Range of Uses: New development generally limited to single or two-family dwellings, and preservation of existing multifamily buildings. Businesses and traditional corner stores may be allowed where current or former commercial use is verified. Supporting public recreational and community facilities (e.g., schools and places of worship) also

Deleted: three- to four-family

Deleted: Traditional corner store/businesses

Deleted: i.e.

Formatted: Right: 0.25"

allowed. Conversion to multifamily allowed for existing historic institutional commercial or other non-residential buildings.

Development Character: New development will fit with the character and scale of surrounding residential neighborhoods where structures are typically located on smaller lots and have minimal front and side setbacks. Maximum density of 24 units/acre.

RESIDENTIAL POST-WAR LOW DENSITY

Goal: Preserve the scale and character of post-war (WWII) residential neighborhoods of lower density where the predominant use is single and two-family residential lots and allow for compatible infill development.

Range of Uses: New development is generally limited to single-family dwellings, with two-family and town home development allowed where it currently exists or formerly existed. Supporting public recreational and community facilities (e.g., schools and places of worship) are also allowed. New two-family dwellings and town home developments may be allowed in planned communities. Conversion to multifamily allowed for existing historic institutional, commercial or other non-residential buildings.

Deleted: POST-WAR

Deleted: i.e

Development Character: New development will fit with the character and scale of surrounding neighborhoods where single- and two-family residential structures are typically set back away from the street on larger lots than in older, pre-war neighborhoods. Maximum density of 20 dwelling units per acre.

RESIDENTIAL PRE-WAR MEDIUM DENSITY

Goal: Preserve the character and scale of pre-war (WWII) residential areas that currently have a variety of housing types and sizes and allow for compatible infill development.

Range of Uses: Single- and two-family residences, townhomes and small multifamily structures. Businesses and traditional corner stores may be allowed where current or former commercial use is verified. Supporting public recreational and community facilities allowed (e.g., schools and places of worship).

Development Character: New development will conform to the general character and scale of surrounding neighborhoods. A maximum of 36 dwelling units/acre allowed. These areas are primarily located along major roadways, often with bus or streetcar service—existing or planned—that can support higher densities.

Deleted: PRE-WAR

Deleted: Traditional corner store

Deleted: b

Deleted: i.e

Formatted: Font color: Auto

Formatted: Normal

Deleted: PRE-WAR

RESIDENTIAL PRE-WAR MULTIFAMILY

Goal: Preserve the character and scale of existing multifamily residential areas in older areas of the city and encourage new multifamily development at nodes along transit routes that can support greater densities.

Range of Uses: Multifamily residential structures allowed. Limited neighborhood-serving commercial uses on the ground floor allowed.

Development Character: Maximum of 100 dwelling units/acre. Taller high-rise structures could be allowed where appropriate with design guidelines.

Formatted: Font color: Auto

Formatted: Normal

Deleted: POST-WAR

Formatted: Right: 0.25"

RESIDENTIAL POST-WAR MULTIFAMILY

Goal: Preserve the character and scale of existing suburban multifamily residential areas and encourage new multifamily development at nodes along potential mass transit routes or major city roadways that can support greater densities.

Range of Uses: Mixed single- and two-family units, and multifamily residential structures allowed. Limited neighborhood-serving commercial uses on the ground floor allowed.

Development Character: Maximum of 36 units/acre. Design guidelines and landscaping requirements required to encourage walkability and allow for proper transition to surrounding single-family and low density neighborhoods.

Formatted: Normal

Formatted: Font color: Auto

Commercial/Industrial NEIGHBORHOOD COMMERCIAL

Goal: Provide areas for small-scale, neighborhood-oriented commercial development that enhances the pedestrian character and convenience of neighborhoods by allowing commercial establishments in select locations within walking distance to surrounding residential areas.

Range of Uses: Retail and professional service establishments serving local neighborhood area residents. Common uses include small groceries, restaurants, barber shops/salons, clothing boutiques, banks, pharmacies, and small health professional offices. Conversion to multifamily allowed for existing historic institutional, commercial or other non-residential buildings.

Development Character: Buildings are oriented to the sidewalk (parking in rear where possible) with maximum heights related to the character of the street. Landscape requirements for parking lots facing the street.

GENERAL COMMERCIAL

Goal: Increase the availability of retail services and amenities (and increase retail tax base) within the City of New Orleans, especially in areas that are currently underserved by retail, with existing and new medium- and large-scale commercial establishments and shopping centers.

Range of Uses: Larger commercial structures including shopping and entertainment centers typically anchored by large supermarkets, department stores or big-box style establishments with supportive chain retail and surface or structured parking. Conversion to multifamily allowed for existing historic institutional, commercial or other non-residential buildings.

Development Character: Structures oriented to the street where possible to encourage both pedestrian and automobile traffic. Sites are limited to accessible locations along major city roadways or highways with minimal negative impact on surrounding residential areas, often in proximity to transit.

Formatted: Font color: Auto

Formatted: Normal

DOWNTOWN EXPOSITION

Goal: To provide areas of downtown that will house and support high-volume visitor traffic at major trade and spectator venues including the Convention Center and Superdome.

Formatted: Right: 0.25"

Range of Uses: Convention center, sports/entertainment arenas/complexes and supporting uses such as hotels, and office space within the CBD.

Development Character: The scale (height and massing) of new development will vary depending on location and proximity to historic districts.

BUSINESS CENTER

Goal: Provide areas to serve as regional employment centers outside of the Central Business District.

Range of Uses: Professional office and/or light industrial parks (warehouse, distribution and storage centers). Large retail centers are not permitted but supportive retail is allowed.

Development Character: Structures often in "business park" settings, typically with surface parking. Landscaping and buffers required, particularly when proximate to residential areas.

Formatted: Font color: Auto

Formatted: Normal

INDUSTRIAL

Goal: Retain land to further strengthen port activity, maritime-related activities, manufacturing and other uses that provide jobs and opportunities for New Orleans' residents.

Range of Uses: Heavy manufacturing, maritime uses, water treatment and transfer and large warehousing/distribution facilities.

Development Character: Often located near rail and highway infrastructure, massing and bulk will vary depending on location, however, proper buffers/standards required, particularly when abutting residential neighborhoods.

Formatted: Font color: Auto

Formatted: Normal

Mixed-Use

MIXED-USE MARITIME

Goal: Preserve and provide areas for maritime-related residential and commercial uses east of Chef Pass on properties adjacent to Chef Menteur Highway in Lake St. Catherine (Planning District 11), along a certain portion of the Mississippi River Gulf Outlet near Interstate 510, and around harbors along Lake Pontchartrain.

Range of Uses: Single-family residential, fishing camps and boathouses, marinas, yacht clubs, maritime associations, community sailing, maritime-related businesses and supporting commercial uses. New development shall only be permissible in accordance with State regulations.

Development Character: Scale (height and massing) and allowed uses to match existing character of surrounding areas.

Formatted: Font color: Auto

Formatted: Normal

MIXED-USE LOW DENSITY

Goal: Increase neighborhood convenience and walkability within and along edges of neighborhoods with low density residential and neighborhood-serving retail/commercial establishments.

Range of Uses: Low-density single-family, two-family and multifamily residential and neighborhood business; typically businesses in residential-scale buildings interspersed with residences. Uses can be combined horizontally or vertically (ground floor retail

Deleted:

Formatted: Right: 0.25"

required in certain areas). Limited light-industrial uses (e.g., craft and value added industry and passive warehousing and storage) may be allowed in some areas.

Development Character: Height/mass of new development varied depending on surrounding neighborhood character.

MIXED-USE MEDIUM DENSITY

Goal: Create medium-density neighborhood centers to enhance walkability and serve as focal points within neighborhoods. Proximity to transit encouraged.

Range of Uses: Medium-density single-family, two-family and multifamily residential and commercial uses. Limited light industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

Development Character: Height/mass of new development varied to ensure proper transitions to surrounding lower density residential neighborhoods. Many structures will feature ground floor retail with residences on upper floors.

MIXED-USE HIGH DENSITY

Goal: Encourage compact, walkable, transit-oriented (or transit-ready) neighborhood centers with medium-to-high density multifamily residential, office, and commercial services at key, underutilized, centrally located parcels within neighborhoods and along edges.

Range of Uses: Medium- to high-density multifamily residential, office, hotel and commercial retail.

Development Character: These areas will provide proper transitions to surrounding areas with lower densities/heights. Many structures will require ground-floor retail with residences or offices or both on upper floors.

MIXED-USE DOWNTOWN

Goal: Support and encourage a vibrant, 24-hour live-work-play environment in the Central Business District, and provide areas to support a high density office corridor.

Range of Uses: High density office, multifamily residential, hotel, government, institutional entertainment and retail uses. No new heavy or light industrial uses allowed.

Development Character: The scale of new development will vary depending on location within the CBD and will be determined by appropriate height and massing, particularly near historic districts.

MIXED-USE HEALTH/LIFE SCIENCES NEIGHBORHOOD

Goal: Provide areas for hospitals, offices, supportive retail and residential uses to create a vibrant neighborhood center with job growth in the medical care and research sectors.

Range of Uses: Hospitals, offices, residential (single-family, two-family, and multifamily along major corridors), and supporting neighborhood retail/services.

Development Character: The scale of new development will vary depending on location and will be determined by the appropriate height and massing. Special attention needed to ensure appropriate transitions from higher density corridors (e.g., Tulane Avenue) to surrounding historic, low density neighborhoods.

PLANNED DEVELOPMENT AREA

Formatted: Font color: Auto

Formatted: Normal

Formatted: Font color: Auto

Formatted: Normal

Formatted: Font color: Auto

Formatted: Normal

Formatted: Font color: Auto

Formatted: Normal

Deleted: i.c

Formatted: Right: 0.25"

Goal: Allow for the potential development of large underutilized or underdeveloped parcels that are completely within the external levee protection system and only in areas that do not contain sensitive wetland environments.

Range of Uses: ~~single-family, two-family and multifamily residential, recreational, commercial or industrial uses dependent on formal planning process. Cluster development that preserves open space is preferred.~~

Deleted: Recreational,

Deleted: ,

Development Character: The type and scale of new development would be determined through a multitiered planned development process that would require community input and city approval. Large-scale, coordinated development with appropriate transitions to surrounding uses and neighborhoods is preferred.

Formatted: Font color: Auto

Formatted: Normal

Institutional

INSTITUTIONAL

Goal: Preserve and enhance existing large-scale institutions such as health care, education (colleges and universities), detention centers and other facilities.

Range of Uses: Hospitals, colleges, universities, military and public detention facilities with large campus-like facilities. Smaller-scale, local houses of worship, public and private schools, police and fire stations, emergency and community centers are included in residential, commercial and mixed-use areas, as they are essential components of neighborhood life.

Development Character: Large-scale, coordinated campus development with appropriate transitions to surrounding uses and neighborhoods.

Formatted: Font color: Auto

Formatted: Normal

Open Space and Recreation

NATURAL AREAS

Goal: Retain and preserve natural areas and wetlands resources for storm water storage, conservation, public enjoyment, and for protection of coastal resources.

Range of Uses: Open space and active recreation that do not have adverse impacts on wetlands and natural areas. (Other uses may be allowed with conditional permit and restoration requirements.)

Development Character: No structures except those necessary to support the principal use.

Formatted: Font color: Auto

Formatted: Normal

PARKLAND AND OPEN SPACE

Goal: Provide areas for parks, recreational facilities and open space networks owned by public or semi-public entities.

Range of Uses: Parks, playgrounds, recreation facilities and athletic fields; neutral grounds and passive open spaces.

Development Character: Ranges from programmatic parks and indoor and outdoor recreational areas to preserved open space.

Formatted: Font color: Auto

Formatted: Normal

CEMETERY

Goal: Preserve and provide areas for cemeteries.

Range of Uses: Cemeteries

Development Character: Cemeteries and accessory buildings.

Formatted: Right: 0.25"

Text 10

Jon and Lindy Silverman
6018 Constance Street
New Orleans, LA 70118

January 31, 2012

City Planning Commission of New Orleans
1340 Poydras St. Ste 900
New Orleans, LA 70112
Fax 504 658-7032

Re: Proposed text amend. 10.3 Under PRE-WAR RESIDENTIAL LOW DENSITY...

The staff has proposed the striking of existing three to four family multi.

To replace with the term: multifamily buildings.

Their reasoning follows: "would make it more possible to keep in commerce existing multifamily structures that may have lost non-conforming use due to vacancy for an extended time."

Objection: We do object to the striking the wording "three to four family".

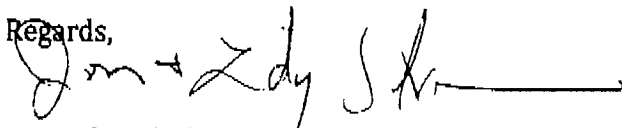
The pre-war residential low density housing stock in our area is primarily single - four family.

Those who have created rental and commercial property where it did not exist should not be rewarded if it goes into disrepair and or abandonment. If they do, the property should revert to its lower density.

Please keep the PRE-WAR RESIDENTIAL LOW DENSITY text range of uses as it was written in the MASTER PLAN.

PLEASE VOTE NO to the proposed text amend. 10.3 STRIKE OUTS.

Regards,


Jon and Lindy Silverman
6018 Constance St.
New Orleans, LA 70118

Cc: Hon. Susan Guidry, Hon. Jackie Clarkson

TEXT #12

Chapter and page number:

Volume 2, Chapter 7, Green Infrastructure: Parks, Open Space and Recreation, Page 7.19

Specific proposed change to text:

6.A Create linear parks and greenways for multi-use pathways using the city's neutral grounds and other linear connections, such as levees, canal edges and rail lines. Several multiuse pathways have already been created—the St. Anthony Avenue and Wisner Boulevard paths—and the planned Lafitte Greenway will form part of a be the first of network of greenways and neutral grounds that will connect greenspaces throughout in the city.

Chapter and page number:

Volume 2, Chapter 7, Green Infrastructure: Parks, Open Space and Recreation, Page 7.20, "ACTIONS"

Specific proposed change to text:

- Explore the possibility of using sufficiently wide neutral grounds as greenways. These can connect to linear or regional and neighborhood parks to enhance the connection of greenspaces throughout the city and facilitate access via walking and cycling. Basin Street with its ample neutral ground could serve as a pilot project, connecting the Lafitte Greenway to Canal Street and Duncan Plaza.
-

Chapter and page number:

Volume 2, Chapter 14, Land Use Plan, Page 14.23

Specific proposed change to text:

- Provide for bicycles—lanes, routes, and parking, racks on streetcars, and bike-sharing infrastructure
-

Chapter and page number:

Volume 2, Chapter 14, Land Use Plan, Page 14.24, "Surface and structured parking"

Specific proposed change to text:

- For areas with retail and entertainment, encourage centralized, iconic parking structures with shuttle buses and pedicabs that circulate to nearby shopping and entertainment destinations.
-

Chapter and page number:

Volume 2, Chapter 14, Land Use Plan, Page 14.48-14.51 (new pages)

Specific proposed change to text:

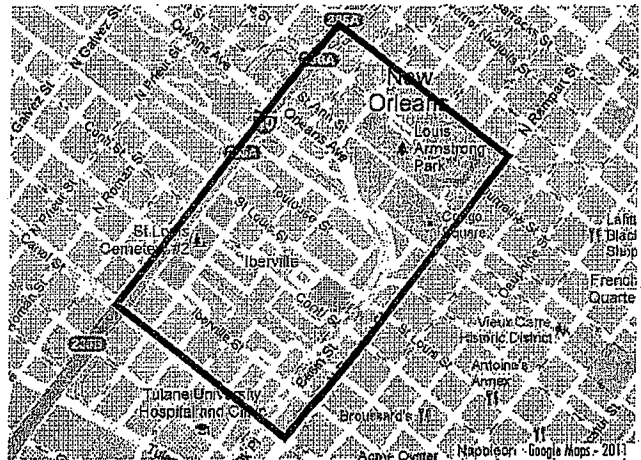
[See attached. The NEWCITY Basin Street Working Group is proposing to add a seventh "Opportunity Site" to this chapter. We will gladly work with the City Planning Commission to format these pages to match other Opportunity Sites and to create accompanying renderings based on our land use and design guidelines put forth.]

Opportunity Site 7

Basin Street

Multiple developments with the potential for large-scale economic development, community revitalization, housing, cultural identity, and environmental responsibility have been proposed for the area bounded by St. Philip Street, North Rampart Street, Canal Street, and North Claiborne Avenue. These include the Choice Neighborhoods Initiative, Iberville Redevelopment, the Claiborne Corridor study, the North Rampart streetcar, the Lafitte Greenway, and the redevelopment of Armstrong Park, the Municipal Auditorium, the Tremé Center, Congo Square, and the New Orleans Jazz National Historical Park. The level of attention and investment focused on this area necessitates significant community outreach to all stakeholders affected by the new development and a coordinated planning approach to weave these developments together. If properly coordinated, these development can create a high-performing urban environment, remove existing physical barriers, and increase linkage between existing and planned amenities.

Only by connecting these developments to each other, their neighborhoods, and the city at large will these places be vital and fully activated. In order to do so, we propose to connect greenspace to maximize utility and functioning, create more intuitive traffic circulation patterns, increase accessibility by multiple modes of transit, remove the psychic barrier that presently exists between Tremé and the French Quarter, and reduce the environmental impact of planned development. The following land use and design suggestions may serve as guiding principles for prospective developers and planners.



1. Study the connection of the Lafitte Greenway to Armstrong Park and the Basin Street neutral ground to create a network of greenways. Pedestrian and bicycle traffic could pass from the Lafitte Greenway into Armstrong Park and continue to Jackson Square and the riverfront. The Greenway could also connect to Basin Street's ample neutral ground to reach Canal Street, Loyola Avenue, and their respective streetcar lines, as well as Duncan Plaza.
2. Promote active transport and public transportation to reduce the number of cars used to reach the theaters, Armstrong Park, and nearby retail. North Rampart/St. Claude streetcar will begin this effort. Promote existing parking structures and study the establishment of new structures near Basin Street, to be linked with the Municipal Auditorium, Armstrong Park, and Mahalia Jackson Theatre via shuttle buses, taxis, pedicabs, and carriages.
3. Explore traffic-calming measures for Basin Street, including a road diet to remove excess capacity, widening of the neutral ground,

introduction of speed bumps and bumpouts, the addition of parking and striped bike lanes, and enhancing crosswalks with cobblestones or other specialty paving materials to reduce speed and increase safety.

4. Remove or reconfigure the I-10 Basin/Orleans downtown off-ramp.

The Claiborne Corridor planning process should prioritize reconnecting North Villere and Marais Streets across Orleans/Basin.

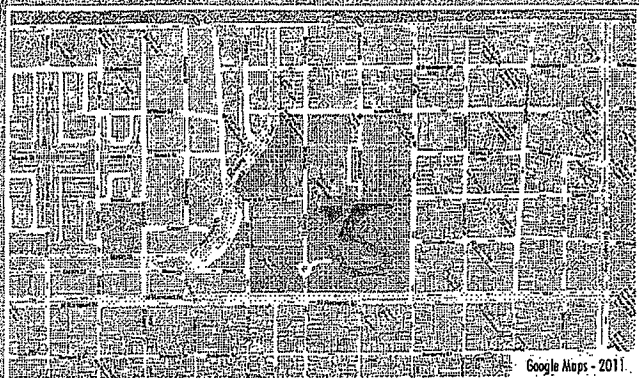
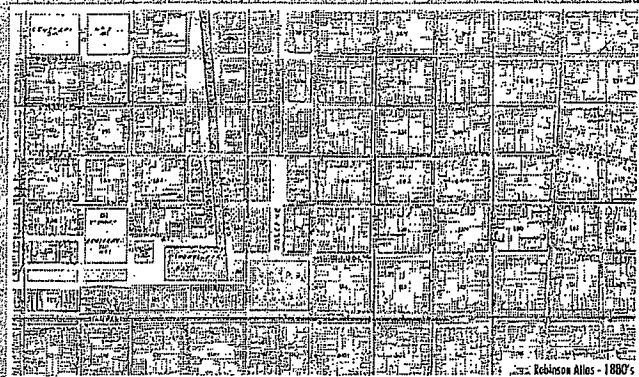
5. Study the re-establishment of the historic street grid. Ideally, Marais Streets would traverse Armstrong Park, Orleans Avenue would terminate at the Municipal Auditorium, and the curved geometry of Basin Street would be removed to reinstate its orthogonal intersections with Orleans, Toulouse, and Lafitte Streets.

Reconnecting North Robertson, North Villere, Marais and Tremé Streets from St. Philip Street to Canal Street for vehicular and/or pedestrian traffic should be considered. Lafitte, St. Peter and Toulouse Streets could also be reconnected with the French Quarter to erase the perceived and actual connectivity barriers between Tremé and the French Quarter, and to enable multimodal connectivity from the Lake to the River.

6. Repair and improve Armstrong Park in accordance with community input gathered during the Unified New Orleans Plan and future planning processes associated with the Park as well as other neighboring developments. The following are some options for what the redeveloped Park might include:

- Reduce surface parking by introducing structured parking in or adjacent to the Park. These could be combined with other adjacent developments and could take the form of either one consolidated

Past and present on Basin Street



The top image shows the historic street grid including the Carondelet Canal and Basin, which were filled in in 1938. The bottom image depicts the present street configuration, altered by the construction of Armstrong Park, the Orleans/Basin connection, and the I-10 off-ramp in the 1960s. Today, the street closures around the Park force drivers to circumnavigate the approximately twelve square blocks that form it. The curved geometry of Basin Street similarly prevent easy navigation and limit circulations, and its high speeds and six-lane width discourage pedestrian traffic. The resultant disconnect between opposite sides of the Park reinforces the historic division between Tremé and the French Quarter.

structure or distributed across several, smaller parking sites around the perimeter of the park. Street frontage of parking structures should be programmed for retail or commercial purposes where possible, with high levels of architectural finish, and landscape treatment.

- Reconsider gate and fence design to promote use by all and integrate park back into Tremé neighborhood.

- Create a detailed plan for maintenance and security.
- Explore entertainment and festival infrastructure and program for underutilized sections of the Park.
- Improve park infrastructure, including trash receptacles, lighting, emergency call boxes, play equipment, water fountains, and bicycle infrastructure.
- Restore historic assets, including Congo Square and Municipal Auditorium. Restore and program unused buildings of New Orleans Jazz National Historical Park, Pump Station #1, and the Old Fire Station.

7. **Incorporate sustainable water features as both an amenity/attraction and a means to manage stormwater runoff.** The water feature of the Greenway could be used to restore the old footprint of the original turning basin. A collection basin could reside at the foot of the proposed new terminus of Orleans, in front of the Municipal Auditorium. These could be connected to the lagoons already in Armstrong Park.

8. **Integrate all developments into a cohesive and readily identifiable entertainment district.** When Broadway South, LLC, studied this idea in 2007, they calculated that the theaters within and around this area would generate \$19.2 million in annual net income (including tax credits). A theater district should be established by incorporating public art and wayfinding signage that celebrates the history of the New Orleans Jazz and Heritage Festival, the famed intersection of St. Claude and Dumaine Streets, the New Orleans Jazz National Historical Park (including Perseverance Hall), the

Joy Theatre, the Saenger Theatre, the Mahalia Jackson Center for the Performing Arts, and the Municipal Auditorium. Appropriate transportation options, including pedicabs and shuttle buses, should be encouraged. The connection to the entertainment venues on Loyola Avenue, including the Orpheum Theatre and the Superdome, as well as Preservation Hall via St. Peter Street should be emphasized.

9. **Preference should be given to pedestrian and neighborhood friendly uses** throughout the area in accordance with specific zoning regulations. Entertainment uses along Basin Streets should also be promoted.

TEXT #12

Paul Cramer

From: Maggie Tishman [mtishman@ccano.org]
Sent: Wednesday, August 17, 2011 2:25 PM
To: Paul Cramer
Cc: Meg Lousteau VCPORA
Subject: Master Plan Opportunity Site Revision
Attachments: Opportunity Site Basin Street.pdf

Hi Paul:

After hearing from VCPORA and North Rampart Main Street, I'd like to change the last line of this document from "Entertainment uses along Basin Street and North Rampart should also be encouraged," to simply "Entertainment uses along Basin Street should also be encouraged." I hope it's not too late to submit this change.

Do you have any idea when public meetings will be held about the Master Plan amendments? The Basin Street Working Group would like to begin working on renderings soon.

Thanks,

Maggie Tishman
NEWCITY Neighborhood Partnership
Providence Community Housing
1050 S. Jeff Davis Pkwy, Suite 301
New Orleans, LA 70125
504.821.7236

8/17/2011

TEXT #13

LAFAYETTE SQUARE ASSOCIATION

630 JULIA STREET

NEW ORLEANS, LOUISIANA 70130

(504) 524-5759

November 28, 2011

Ms. Yolanda Rodriguez
Executive Director
City Planning Commission
1340 Poydras Street, 9th Floor
New Orleans, LA 70112

DEC 15 2011 PM 1:55

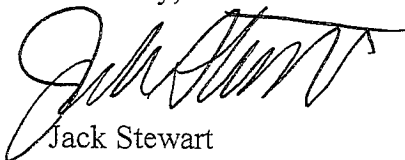
Dear Ms. Rodriguez:

After several Lafayette Square Association board meetings on the subject and conversations with our members and neighbors we herewith present our comments on the draft master plan amendments:

1. We are for the text amendment to the Transportation Chapter, Best Practices box heading which adds the phrase "shall be followed."
- 17 2. We are against the general thrust of what seems to be in the RTA's text amendment(s) to the Transportation Chapter as proposed in their letter to you of August 10, 2011, which appears to suggest that the RTA wants there to be no "conceptual" rules on transportation Best Practices in the City's Master Plan. Their position in that letter says that they want those details to be in their master plan. However, they pay no attention to their master plan, which they prepared in 1989.
- 13 3. We are for the text amendment that changes the proposed name of the High Density CBD Mixed-Use Neighborhood to the Upper CBD Mixed Use Neighborhood.
- 13 4. We are for the text amendment and map change that makes the Upper CBD into an Interim Zoning District (IZD) using the recent and revised Height Study and incorporating all of it into the Master Plan.


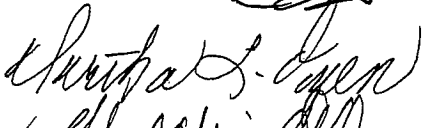

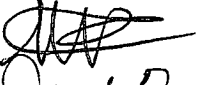

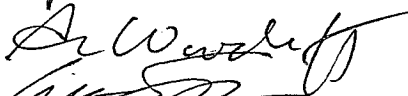
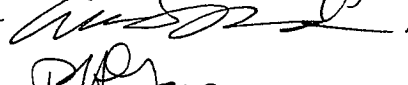

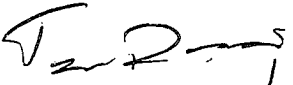


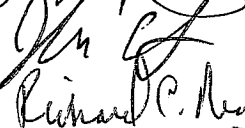
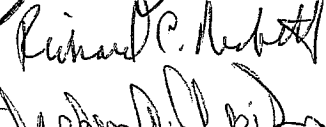
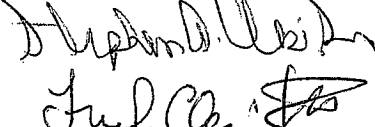
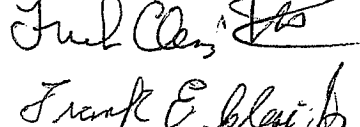
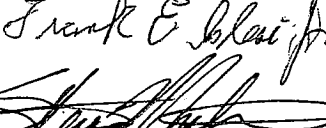



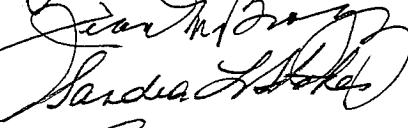
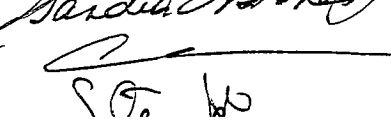
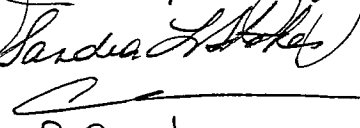
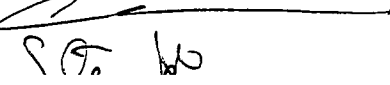
Attached is a list of supporters of these comments.

Sincerely,



Jack Stewart
President,
Lafayette Square Association

WE THE UNDERSIGNED ENDORSE THE CATAHOOTS SQUARE ASSOCIATION
LETTER TO THE CITY PLANNING COMMISSION ON MASTER PLAN AMENDMENTS
NAME SIGNATURE ADDRESS

Roland von Kurnatowski		818 St. Charles Ave. 610 Julia St.
Rich Look		
MARTHA L. OWEN		618 Julia St.
Melanie M. Owen		620 Julia St.
Mallory Chastant		614 Julia St.
Judith Woodruff		616 Julia St City
Ann Woodruff		630 Julia St.
GEORGE SCHMIDT		626 JULIA ST
Patricia H. Gay		628 Julia 20130
	Troy Dupuis	111 S Peters St #111
Barbara Muthy	BARBARA MOREY	535 JULIA ST, NO LA 70130
PETER M TRAPLOW		217 MAGAZINE ST 70130
Michael Duplantier		820 Baromett 70113
JOHN H. CRAFT		829 BARONNE ST NO 70113
Richard C. Nesbitt		711 Camp Street 70130
Stephen A. Clesi, Sr.		622 Julia Street, NO 70130
Frank Clesi, Jr.		622 OWLS St., NO. 70130
FRANK E. CLESI, JR		622 Julia St. N.G. 70130
Steve Martin		624 Julia St NO 70130
GEORGE HERO		913 MAGAZINE ST. NW 70130
JANA K NAPOLI		616 Julia St. 70130
Keith Hardie		157 St. Charles Suite 304 70130
JEAN M BRAGG		600 Julia St 70130
SANDRA STOKES		600 Julia - 4th flr 70130
CASSANDRA SHARPE		610 JULIA 70130 OWNER
STANLEY A. ...	STANLEY A. ...	800 St. Charles Ave

TEXT # 13

Paul Cramer

From: Henry Charlot [hcharlotjr@yahoo.com]
Sent: Friday, August 05, 2011 4:42 PM
To: Yolanda W. Rodriguez; Leslie T. Alley; Henry Charlot
Cc: Paul Cramer; Geoffrey N. Moen; Theresa R. Becher
Subject: Master Plan Changes - Lafayette Square and Warehouse District Heights
Attachments: Master Plan Amendment Form Lafayette Square and Warehosue District July 2011.doc;
DOWNTOWN Master Plan Changes - Lafayette Hieght Study Language.pdf

See the attached documents requesting changes to the Master Plan as recommended by the downtown Development District of New Orleans

8/5/2011

PLAN FOR THE 21ST CENTURY: NEW ORLEANS 2030

PROPOSED TEXT AND MAP CHANGES CITY PLANNING COMMISSION

PURPOSE: Recommend changes in the allowable Heights on Canal Street

CHANGES

1. The Downtown Development District of New Orleans recommends changing the text of the Master Plan and the future land use map to reflect the following:
 - A. Allowable Heights on the French Quarter side of Canal Street should generally be allowed to be at least 120 ft, on the Canal St face, with the block split mid way to Iberville St, and the height on the Iberville St side dropping back to not more than 75 feet
 - B. For corner properties with lot areas of at least 30,000 square feet, the allowable height on the Canal St face should be eligible for a 30 foot height bonus similar to the FAR bonus system in Chapter 17.5 "Public Benefit FAR bonus provisions"
 - C. Existing properties already exceeding this height should be allowed to build back to their current height, if the properties are ever destroyed or demolished
 - D. Existing properties which are not at this height should only be allowed to build back to their current height, if the properties are ever destroyed or demolished

The DDD believes these changes will allow for the proper transition to the lower heights in the French Quarter beginning on Iberville St., while still allowing some additional height on the Canal St face similar to some of the current existing structures.

PLAN FOR THE 21ST CENTURY: NEW ORLEANS 2030

PROPOSED TEXT AND MAP CHANGES CITY PLANNING COMMISSION

PURPOSE: Incorporate into the text Master Plan the building heights recommended in the Lafayette Square and Warehouse District Historic Area Height Study. This study was requested Councilmember Stacy Head and commissioned by the DDD. The full study document and related maps of building heights have been previously submitted to the City Planning Commission. **The relevant section of the Master Plan is Chapter 9, volume 3, page 38.**

The recommendations in this study were vetted and approved by an 11 member task force of neighborhood residents and property owners and developers. Consensus was reached through a collaborative public process.

The initial Height Study made recommendations on a parcel by parcel basis. A second phase of the study was conducted in order to bring the recommendations back to the block level to make them suitable for inclusion in the zoning code.

The Future Land Use Map should be adjusted to made the same as that labeled "Figure 17-2 "Maximum Building Heights" in the July 2011 Draft of the Comprehensive Zoning Ordinance as proposed by Camiros Inc.

CHANGES

1. The Downtown Development District recommends that the changes to allowable building heights as recommended in the above document be written into the Master Plan document in order to provide protections until such time as a consistent companion zoning code is adopted.
2. The DDD proposes the adoption of an Interim Zoning District that contains the exact language, boundaries, heights and other recommendations in the above study
3. The Future Land Use Map should show that the Lafayette Height Study map area as a unique and defined area that is called "Upper CBD Mixed Use" instead of the current "Mixed-Use High Density" distinction. The phrase "High Density" appears to be misleading.

The Lafayette Square Neighborhood Association and the Warehouse Area Neighborhood Association also support the above recommended changes.

Attached is the appropriate section of the Master Plan with a summary reference to the Height study. However, we believe that incorporation of the full language and the adoption of the Interim Zoning District are necessary to give the area the protections developed in the study recommendations.

PLAN FOR THE 21ST CENTURY: NEW ORLEANS 2030 PROPOSED TEXT AND MAP CHANGES CITY PLANNING COMMISSION

PURPOSE: Incorporate into the text Master Plan the building heights recommended in the Layette Square and Warehouse District Historic Area Height Study. This study was requested Councilmember Stacy Head and commissioned by the DDD. The full study document and related maps of building heights have been previously submitted to the City Planning Commission. **The relevant section of the Master Plan is Chapter 9, volume 3, page 38.**

The recommendations in this study were vetted and approved by an 11 member task force of neighborhood residents and property owners and developers. Consensus was reached through a collaborative public process.

The initial Height Study made recommendations on a parcel by parcel basis. A second phase of the study was conducted in order to bring the recommendations back to the block level to make them suitable for inclusion in the zoning code.

The Future Land Use Map should be adjusted to made the same as that labeled "Figure 17-2 "Maximum Building Heights" in the July 2011 Draft of the Comprehensive Zoning Ordinance as proposed by Camiros Inc.

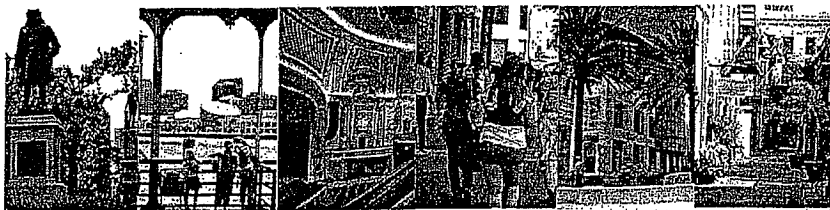
CHANGES

1. The Downtown Development District recommends that the changes to allowable building heights as recommended in the above document be written into the Master Plan document in order to provide protections until such time as a consistent companion zoning code is adopted.
2. The DDD proposes the adoption of an Interim Zoning District that contains the exact language, boundaries, heights and other recommendations in the above study

The Lafayette Square Neighborhood Association and the Warehouse Area Neighborhood Association also support the above recommended changes.

Attached is the appropriate section of the Master Plan with a summary reference to the Height study. However, we believe that incorporation of the full language and the adoption of the Interim Zoning District are necessary to give the area the protections developed in the study recommendations.

A 21st-century downtown marked by a unique blend of preservation and innovation



The president of CEO's for Cities notes that cities with vibrant downtowns "out-compete" others in attracting investment and jobs, in part because housing in their regions has proven to be a better investment; educated workers necessary for economic diversity seek regions with vibrant downtowns; conventions that build bridges to other cities seek venues in lively and historic downtowns; and the tolerance for diversity that serves as a litmus test for many companies flourishes in healthy downtowns.

New Orleans is increasingly successful in these and other dimensions. More important, downtown is New Orleans' birthplace and common ground.

Dedicated stewardship—with active engagement by a substantial residential population—continues to preserve and enhance a rich mix of historic and cultural amenities, reinforcing downtown as a regional economic engine that fosters investment in the medical district, fast-growing creative and green "industries of the mind," higher-value "cultural tourism," and similar benefits. Market support exists to double downtown's residential population over the next seven years and create new neighborhoods along the South Rampart corridor and on the vacant Convention Center expansion site.

The Downtown Development District's collaborations with the Canal Street Development Corporation, the French Quarter and other partners are critical to taking steps essential to achieving the downtown's full promise:

- Bring Canal Street's historic theaters and upper floors back to life with a rehabilitation building code and targeted financial incentives (recouped as investors respond to public leadership).
- Restore the historic former Charity Hospital and nearby buildings to create a vibrant seam with the medical district.
- Manage development in all of the historic districts to preserve their integrity and character.
- Animate key walking streets like Julia, Magazine, and Royal to encourage convention and Super Dome attendees, French Quarter visitors, medical district employees, Warehouse District gallery visitors, and others to explore other parts of downtown. In the process, all of downtown will become more competitive as a place to live, work, shop, visit, and invest.
- Aggregate land to set the stage for creation of new mixed-use downtown neighborhoods, and work with the Iberville public housing residents on further planning.
- Undertake a series of transit and other transportation initiatives to enhance connections to the city's neighborhoods and the larger city and region.

As this Master Plan is being completed, the mayor has raised the issue of the need to rebuild City Hall or find a replacement. Over the longer term this offers New Orleans the opportunity to plan for a vital new civic center and city hall that can emerge as a national symbol of New Orleans spirit, energy, and inclusiveness...and make an important contribution to downtown's vitality.

street parking; and regulatory barriers to renovation of upper floor space. Of the two shopping malls in downtown before the storm, one, New Orleans Centre, has not reopened, while the other, Riverwalk Mall, continues to serve primarily tourists.

The French Quarter maintains its character as a true, thriving mixed-use neighborhood, replete with a diversity of small businesses. French Quarter businesses would benefit from better non-automobile access downtown and more affordable, more accessible parking for those who choose to drive. In the less well-traveled portions of the Quarter—and along North Rampart Street in particular—more



*The Administrators of the
Tulane Educational Fund*

August 2, 2011

STATEMENT OF INCUMBENCY

I hereby certify that **Anthony P. Lorino** holds the position of Senior Vice President for Operations and Chief Financial Officer of Tulane University and is therefore authorized to execute any and all documents on behalf of the Administrators of the Tulane Educational Fund.

A handwritten signature in black ink, appearing to read 'Victoria Johnson', written over a horizontal line.

Victoria Johnson
Corporate Secretary and General Counsel
for the Administrators of the
Tulane Educational Fund

TULANE UNIVERSITY			
ATTACHMENT TO AUGUST 2011 APPLICATION FOR AMENDMENT TO			
NEW ORLEANS 2030: PLAN FOR THE 21ST CENTURY (THE MASTER PLAN)			
TEXT AMENDMENTS			
ITEM	CHAPTER/PAGE NUMBER	AMENDMENT TEXT	EXPLANATION
1	Vol. 2, Chapter 6, page 6.2	(see attached)	Tulane University's Uptown campus is listed on the National Register of Historic Places but is not a National Historic Landmark. The amendment request is to distinguish between designation of landmark and designation of place.
2	Vol. 2, Chapter 9, 9.1 #3 and 9.9A	(see attached)	Amend to include Higher Education as an industry to preserve and expand. In chart on 9.1 Higher Education is included in concept under item #3, in the group of "other established industries". Charts on 9.7-9.9 should include a strategy section for Higher Education, while Goal 3 (starting on page 9.19) should include text related to these goals. a. Higher Education students are 18% of population. b. Higher Education employs approximately 15000 FTE. c. Higher Education brings in over \$245 million in research funding to the city. Tulane alone brings in \$146 million annually.
3	Vol.2, Chapter 9, page 9.25	(see attached)	Amend by removing section relating to rebuilding Tulane engineering. Change language to include science, technology, engineering and bio-medical research programs at local universities.
4	Vol. 2, Chapter 9, page 9.26 3.X)	(see attached)	Amend bullet point 3.X to remove reference to UNO & Tulane as specific universities to develop petroleum engineering. Remove reference to specific graduate engineering to be more general.
5	Vol.2, Chapter 9, page 9.28	(see attached)	Amend map of Medical District to include Tulane Health Sciences and Tulane Hospital as well as NOBIC and LCRC. Amend the map further to identify the "LSU teaching hospital" as the "University Medical Center" (see proposed map).
6	Vol. 2, Chapter 14, page 14.6	(see attached)	Amend to include a Campus District in the Summary of Land Use Strategies and Actions in regards to preserving land for development by large employers, i.e. universities. Chart Strategy section "Preserve land for large employers" should include general language to allow for expansion.
7	Vol. 3, Chapter 9, page 9.13	(see attached)	Amend "Tulane Institute for Macromolecular Engineering and Science" to read "Tulane Center for Polymer Reaction Monitoring and Characterization".
8	Vol. 3, Chapter 9, page 9.26	(see attached)	Amend the existing text to update the number of students enrolled at the listed institutions, and add the number of jobs created by these.



fact sheet

HISTORIC PRESERVATION

Historic Districts

- An historic district is a defined, geographical area designated for its cultural, social, economic, political and/or architectural significance.

- In New Orleans there are 19 historic districts and over 140 landmarks on the National Register and 14 that are locally-designated (in addition to the French Quarter, which is a National Landmark and has no local protection). (Their boundaries often overlap.)

- National Register districts are designated by the National Register of Historic Places. In Louisiana this program is administered by the Office of Cultural Development, Department of Culture, Recreation and Tourism Division of Historic Preservation.

> National Register Districts: Esplanade Ridge, New Marigny, Parkview, Mid-City, Bywater, Faubourg Marigny, Vieux Carré, Holy Cross, Carrollton, Upper CBD, Algiers Point, Uptown, Lower CBD, Central City, Lower Garden District, Garden District, Irish Channel, Gentilly Terrace, Broadmoor, South Lakeview

- Locally-designated districts are designated by the New Orleans City Council and administered by two local historic district commissions: The New Orleans Historic District Landmarks Commission (NO HDLC) and the Central Business District Historic District Landmarks Commission (CBD HDLC); the French Quarter was designated by the state and is administered by the Vieux Carré Commission.

> Local Historic Districts include Algiers Point, Bywater, Canal Street, Esplanade Ridge, Faubourg Marigny, Irish Channel, Lafayette Square, Lower Garden District, Picayune Place, St. Charles Avenue, Tremé, Vieux Carré (state-designated historic district), Warehouse District.

- There are over 400 designated or nominated local landmarks.

1

Historic Landmarks Sites

- An historic landmark is a building, structure, site, or object that is recognized for its cultural, social, economic, political, archaeological, and/or architectural significance. Generally they are at least 50 years old.

- There are approximately 37,000 buildings within New Orleans' National Register Districts.

WHAT DOES IT MEAN TO BE ON THE NATIONAL REGISTER?

- Federal projects must mitigate impacts on National Register properties.
- It is an honor.
- Eligibility for tax credits for a portion of qualifying renovations for all uses except private residences.
- There is no impact on property rights. Owners may alter or even demolish the property.
- Owners must agree to nomination for National Register status.

WHAT DOES IT MEAN TO BE IN A LOCAL HISTORIC DISTRICT?

- Local historic district designation does not affect the usage or zoning of any property.
- Changes to the exterior visible from the public way are regulated for properties in local districts. All exterior changes to local landmarks are regulated.
- Owners must file a request for permission to perform new construction, routine maintenance work, or demolition that affects the exterior of the property.
- Owners within an Historic District can be cited for "demolition by neglect" if a property owner fails to maintain a building and allows deterioration to occur to the point where it is demolished through neglect. This may result in legal action and/or a fine if the owner fails to correct the violation.
- The Commissions do not have the authority to force a property owner to restore or renovate his property.
- There are no tax benefits of local district designation, but historic districts have been proven to have a positive and stabilizing effect on property values.
- The HDLC offers technical assistance and advice to property owners on making changes to their property. HDLC also provides free reference materials on the HDLC rules and regulations and guidelines for new construction.

- The National Register currently lists 140 historic sites landmarks in Orleans Parish, including houses, neighborhoods, churches, cemeteries, public plazas, statues, and monuments and the campuses of Xavier, Tulane, and Dillard Universities. The St. Charles streetcar line and two steamboats are designated National Historic Landmarks.

VOLUME 2

chapter 9

ENHANCING PROSPERITY AND OPPORTUNITY

GOAL	POLICIES FOR DECISION MAKERS	FOR MORE INFORMATION, SEE PAGE:
1 <i>A strong, effective public-private partnership to maintain, recruit and expand the economic base</i>	<ul style="list-style-type: none"> Support the creation of and fund a public-private partnership (PPP) as the focal point for all local economic development activities. Strengthen business retention, expansion and recruitment efforts. Retain and attract professional talent. 	9.13
2 <i>Local government that supports high quality of life by delivering cost effective and efficient services to both businesses and residents</i>	<ul style="list-style-type: none"> Make New Orleans a safer, more reliable city in which to live, work and play. Provide, maintain, and repair basic infrastructure for a safer, more dependable city environment. 	9.18
3 <i>Preservation and expansion of established industries</i>	<ul style="list-style-type: none"> Preserve and enhance the tourism, cultural, port and maritime-related, advanced manufacturing, oil and gas, and other established industries. 	9.19
4 <i>Fostering of emerging industries to expand economic opportunity</i>	<ul style="list-style-type: none"> Support the continued development of the medical and life sciences sector. Retain and attract film/video, digital media and other creative industries. 	9.26
5 <i>Nurturing of potential new industries that capitalize on New Orleans' competitive strengths</i>	<ul style="list-style-type: none"> Promote coastal protection and restoration industries. Encourage green energy industry opportunities. Promote sustainable building design and construction. 	9.30
6 <i>A well-educated and skilled workforce with state-of-the-art workforce development programs that support a growing economy</i>	<ul style="list-style-type: none"> Maintain and strengthen the role of higher education as critical employers and contributors to the growing knowledge economy. Ensure that every student graduates from high school with basic work skills or prepared to advance to post-secondary education. Expand and improve coordination of the adult workforce development system. 	9.31

2
No text change

☐ FIRST FIVE YEARS: 2010-2014 ☐ MEDIUM TERM: 2015-2019 ☒ LONG TERM: 2020-2030

GOAL	STRATEGIES	ACTIONS				FOR MORE INFORMATION, SEE PAGE
		HOW	WHO	WHEN	RESOURCES	
		Recruit NASA subcontractors to the NORBP, including through improvements to the business park.	PPP; GND, Inc; Louisiana Economic Development; NORBP	first five years	Staff time; NORBP funds	9.25
		Enhance the city-university relationship to promote research-based economic development through rebuilding and adding engineering programs.	Mayor's office; universities	first five years	Staff time	9.25
		Expand training for skilled trades on the model of the Advanced Manufacturing Center at Northrup Grumman.	Delgado Community College with manufacturers	first five years	State, federal and private funding	9.25
	Preserve, expand and modernize the oil and gas industries.	Strengthen research and commercialization of advanced, environmentally sustainable oil and gas technologies.	Universities; oil and gas industry	medium term	Grants and private funding	9.25-9.26
2	Preserve and strengthen higher education as an established employment sector.	Foster policies and promote funding that support institutions of higher education in the knowledge-based economic growth of the city, in the development of the local and regional skilled workforce, and as significant contributors to the job sector.	Universities; city officials; local economic leaders	first five years	State, federal and private funding; local policies	

- Collaborate with Mississippi officials to jointly advocate for Michoud and the nearby Stennis Space Center, which is also involved in the Constellation Program.

3.S Recruit NASA subcontractors through strengthened recruitment efforts and improvements to the New Orleans Regional Business Park.

ACTIONS

- Work with NASA, GNO Inc., the PPP and Louisiana Economic Development and target recruitment efforts to subcontractor firms to work on NASA's Constellation Program and other projects.
- Invest in infrastructure improvements at New Orleans Regional Business Park to create a more attractive environment through zoning requirements, roadway improvements, landscaping and signage.

3

3.T Continue to rebuild support science and engineering programs in city universities.

Science and engineering programs play an essential role in producing the workforce to serve the advanced manufacturing industry and generate the research and development activities that attract industry firms. After Hurricane Katrina, university programs were pared back and are still in the rebuilding process.

ACTIONS

- Enhance city-university relationship to promote research-based economic development.
- Support and strengthen existing the continued rebuilding of Tulane and UNO engineering programs at local universities and colleges.
- Encourage development of new applied sciences and engineering additional programs in higher education in emerging areas of specialization and industry development. (i.e., Tulane's in development undergraduate engineering physics program and graduate materials science and engineering programs.)

3.U Continue to increase the number of workers in the skilled trades through training programs.

A recent study conducted for GNO Inc. found that advanced manufacturing employers in the region were experiencing shortages in workers in the skilled trades (e.g., welders, pipe fitters), production (e.g., machine tool operators and fabricators), and technical positions (e.g., engineering technicians, CAD operators).

ACTION

- Expand recent initiatives to increase the supply of workers in the skilled trades.

3.V Leverage the existing research base to diversify into other advanced manufacturing sectors.

Research already being conducted in New Orleans in areas such as composite materials and advanced welding techniques have applications in other industries including civilian aerospace, wind energy, automotive.

ACTION

- Market research capacity to established firms and new entrepreneurs to promote the expansion and diversification of the advanced manufacturing in the city.

ENERGY: OIL AND GAS**3.W Support retention and expansion of existing energy services firms and their high-paying jobs by working with them to identify their needs and taking steps to address them.**

Significant growth opportunities exist for energy service firms in the near future as more advanced technologies are needed for increasingly difficult oil and gas extraction. New Orleans offers a competitive location for the management and professional/technical operations of energy service companies. In addition, if the eastern Gulf is opened to oil exploration, New Orleans will be well positioned to service the offshore oil industry's transportation and logistical needs.

ACTIONS

- *Assess market potential and develop a strategy to recruit additional firms/facilities for whom New Orleans' proximity to oil and gas production and refining facilities offers a locational advantage.*
- *Identify needs for these firms and take the necessary steps to address them to better support retention and encourage expansion.*

4**3.X Attract and retain scientific, engineering and technical talent.**

One of the key industry issues identified in a GNO, Inc. study was workforce shortages, particularly geological and petroleum engineers and skilled production workers for refining and petrochemical production.

ACTION

- *Work with local colleges and universities (UNO and Tulane) to explore options for petroleum engineering specializations in their graduate engineering programs and develop internships or other connections with local firms.*

3.Y Promote research and commercialization in advanced, environmentally sustainable extraction and production technology.

As environmental concerns increase, the industry needs more efficient and environmentally sustainable ways to produce oil and natural gas in increasingly fragile natural environments.

ACTIONS

- *Strengthen the research capabilities of local universities to help the industry address these issues.*
- *Increase cooperative industry/university research to better retain existing firms and attract new ones to the city and region.*

GOAL 4**Fostering of emerging industries to expand economic opportunity for New Orleanians****MEDICAL AND LIFE SCIENCES**

The strategic plan developed by the Regional Biosciences Initiative provides a roadmap for building the life sciences industry in New Orleans. Research institutions, government, economic development organizations, and other stakeholders must continue to work collaboratively to implement the strategy. A number of issues require particular attention in the short-term:

A state-of-the-art medical district will require a new level of city-planning leadership

No set of projects holds greater potential to enhance quality of life, economic opportunity, character, and sustainability than the proposed Southeastern Regional Veterans Administration Hospital (VA) and Louisiana State University Health Sciences Center (LSU). The Regional Planning Commission (RPC) stepped forward following Hurricane Katrina and launched planning for a medical district more vital and nationally competitive than before the storm—particularly critical for a city in which one in eight residents held a job related to health care in 2005.

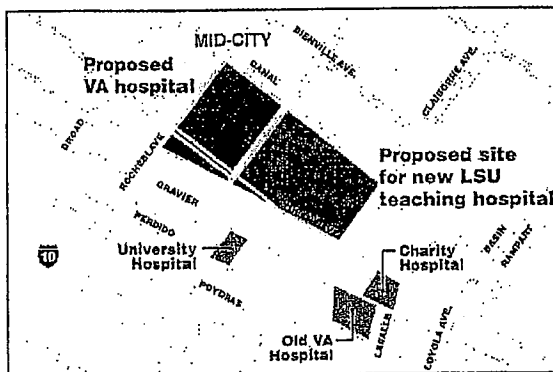
Placing a high priority on securing commitments from the two hospitals to locate in the medical district, the City proposed sites that were subsequently endorsed by LSU and the VA. Building on the RPC's planning, the City envisions a medical district anchored by these hospitals and Tulane Medical School that would attract significant development of research and other health-care-related industries. The BiInnovation Center is an early example of the commitment to take effective steps to ensure spin-off economic-development benefits from health care.

Projects of this scale would generate public debate in any city, and while there is widespread enthusiasm for the hospitals themselves, the specific sites endorsed by LSU and the VA have drawn criticism. A citywide coalition of neighborhood and community organizations, the Foundation for Historical Louisiana (FHL), the National Trust for Historic Preservation, and other groups have urged LSU to rehabilitate historic Charity Hospital and the VA to avoid displacing an existing neighborhood. A study by RMJM Hillier, a nationally recognized architecture and preservation firm, concludes that rehabilitating the Charity building would save time and costs, assessments that LSU disputes. Others suggest that hospitals with comparable facilities and location could readily share the site

identified for LSU and avoid the need to remove the adjacent neighborhood.

While the agreements covering the hospitals' siting and other aspects of planning for the district do not include a specific role for the CPC, the controversy over the proposals led residents and City Council members to ask the CPC to host a public forum in May, 2009, to determine how the Master Plan should address the hospitals and other issues raised by the medical district. Based on the forum and an assessment of the planning process to date, the Master Plan includes four core recommendations:

- **Planning leadership.** Although state and federal projects are exempt from local zoning, the sweep of the medical district's impacts—and intense public interest—demonstrate the importance of City-led and community-based planning for projects that affect the welfare of the city and its neighborhoods. New Orleans would be well-served going forward by a model that has worked in many cities in which city government carries out community-based planning that includes key stakeholders and state and federal agencies. The CPC should work closely with the Community Development Department, the Greater New Orleans Biosciences Economic Development District, the RPC, NORA and other agencies to create plans that meet the needs of proponents and reflect the values of the community. Plans approved by the CPC would represent an appropriate basis for inviting NORA to take advantage of its redevelopment capabilities to ensure that the City is well placed in terms of site control and development incentives to maximize the medical district's economic-development benefits. Promoting residents' access to top-quality health-care facilities as soon as possible; insuring that planning and design honors the city's unique character; preserving historic resources; protecting nearby neighborhoods' interests;

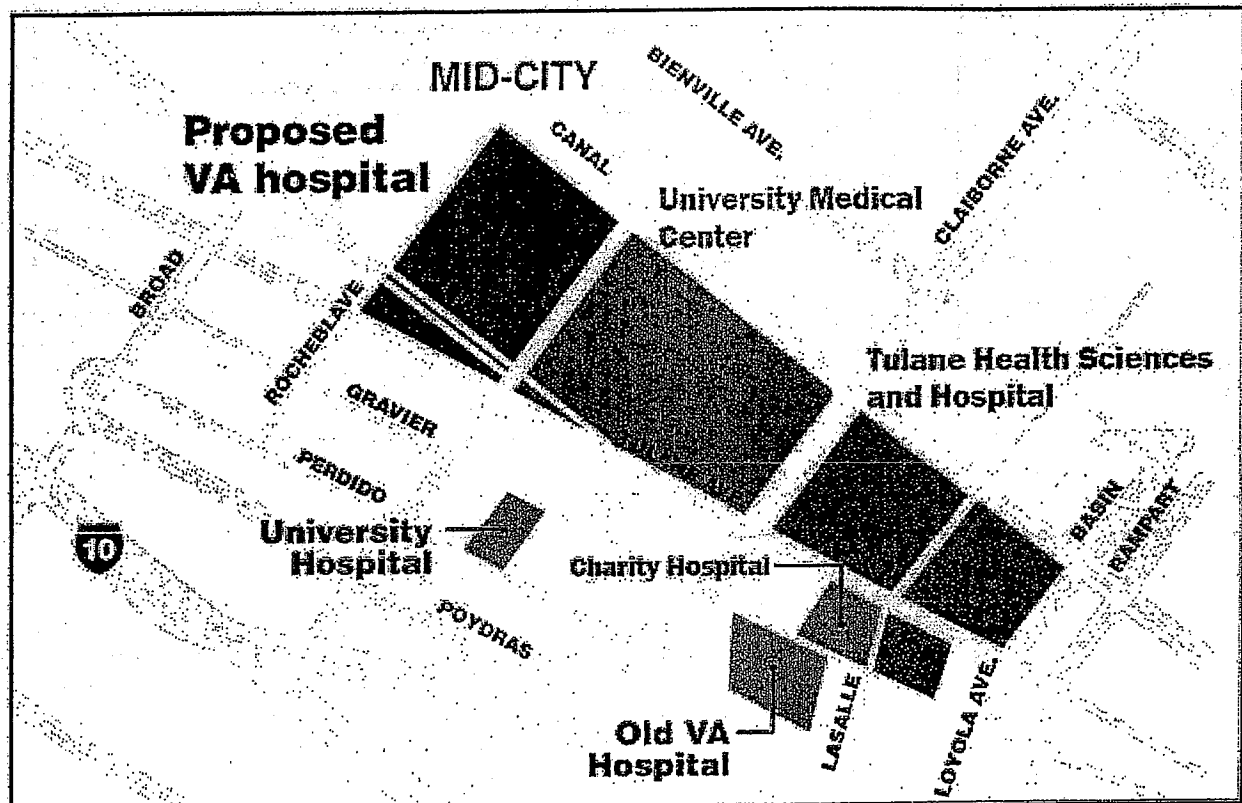


The RMJM Hillier/Foundation For Historical Louisiana Proposal

5

No text
change

Modification to map from Vol. 2 pg 9.28



Downtown Campus

■ Modification

**Other Downtown
Medical District
Buildings**

☐ FIRST FIVE YEARS: 2010-2014 ☐ MEDIUM TERM: 2015-2019 ☒ LONG TERM: 2020-2030

GOAL	STRATEGY	ACTIONS
		<p>Include parking alternatives, such as shared lots and parking space maximums, to reduce the amount of paved surface in new development.</p> <p>Establish standards that address the number of bicycles to be accommodated for various land use categories.</p>
Promote development that can strengthen the city's tax and job base while serving citizen needs and preserving city character.	Preserve land for large employers	Provide land use categories that encourage office development. (See General Commercial and Business Center land use categories descriptions and the Future Land Use map.)
		Create new and strengthen existing districts that accommodate large office, medical, and educational employment centers.
		Allow mixed-use development in campus districts.
		Institute planned development review for larger new projects to better integrate them into their context.
		Attract new employers by creating a positive image through appropriate development standards.
		Include new landscaping standards to buffer incompatible uses, screen parking lots and outdoor storage areas, and improve the appearance of sites and street frontage.
		Incorporate a design-review process that informs both the developer and the neighbors of community design standards and operational concerns.
	Preserve land for industrial uses where there are active and prosperous industrial uses	Ensure that land use categories allow for industrial uses. (See Industrial land use category description and the Future Land Use map.)
		Create a more stable investment climate by reducing conflicts both within industrial districts and between adjacent non-industrial districts.
		Refine the industrial-district-use lists so that uses appropriate to the desired intensity and market orientation of the industrial district are permitted, rather than requiring a conditional use or text amendment.
		Provide appropriate locations for business and light industrial facilities in settings attractive and accessible to visitors and employees.
		Accommodate a range of industrial development, including standards for research and light industrial/office parks.
		Provide appropriate locations for warehousing, distribution, storage, and manufacturing.
		Review performance standards for industry in establishing uses and evaluating impacts near residential areas.
	Promote clustering of neighborhood retail and services and avoid long corridors of low-density commercial development.	Apply a land use category that allows for and encourages smaller, neighborhood-oriented retail establishments. (See Neighborhood Commercial land use category description and the Future Land Use Map.)
		Encourage small-scale neighborhood commercial uses within residential neighborhoods.
		Tailor commercial zoning districts to the form, function, and use of various commercial areas.
		Revise the current commercial district structure so that district standards are responsive to a district's purpose and desired character.
		Create a commercial district specifically designed to accommodate and encourage pedestrian-oriented, walkable, shopping environments.
		Create standards within the zoning ordinance for small local business districts located within predominantly residential areas.

6

as home for 400 of Northrop Grumman's engineering and design employees, and functions as a research and teaching laboratory for UNO's School of Naval Architecture and Marine Engineering. Research areas include ship design and construction, manufacturing simulation and visualizations, structural engineering, robotic welding, and offline programming. Another GMRTC sub-center is the Maritime Environmental Resources and Information Center, which conducts R&D in "clean technologies" applicable for the shipbuilding, ship repair, ship operations and ship dismantling/recycling processes.

- UNO's Advanced Materials Research Institute conducts research in the synthesis, fabrication, testing, characterization, development, and nanotechnology of nanomaterials, nanocomposites, and functional materials for the development of advanced materials for use in industry and defense applications. The Institute works collaboratively with the corporate and government sectors.

7

- **Tulane Institute for Macromolecular Engineering and Science Center for Polymer Reaction Monitoring and Characterization** conducts basic and applied research in polymers.

With the Michoud Facility and most shipbuilding facilities suffering limited Hurricane Katrina-related damage, operations were quickly restored and employment rapidly returned to normal levels. In fact, annual industry employment, which reached a recent low in 2004, rose steadily between 2004 and 2007, when it stood 30 percent above the 2004 level. With its heavy dependence on federal space exploration and defense spending, the industry is less vulnerable than other manufacturing sectors to the national recession, although it is potentially vulnerable to future budget cuts by the federal government.

A number of recent developments and initiatives will influence advanced manufacturing in the years to come.

- Delgado Community College and Northrop Grumman partnered to establish an **Advanced Manufacturing Center of Excellence** at Northrop Grumman Ship Systems' Avondale Operations, which opened in 2009. The center provides training and certification for production workers in areas such as welding, pipe fitting, electrical, maintenance, mechanics, press process and CAD/CAM.

- The Louisiana Department of Economic Development, University of New Orleans, and NASA are partnering to develop a new \$40 million teaching and business incubation facility at Michoud, to be completed in 2009. The Michoud Assembly Facility R&D Administration Building will be used collaboratively for research and development administration, education, training, and related matters at the Michoud Assembly Facility under the management of the National Center for Advanced Manufacturing.

- NASA's commitment to use the Michoud Assembly Facility for the Constellation Program should keep the facility open for at least the next decade, providing several thousand jobs. NASA also plans to diversify the facility to include private contractors and other federal programs.

- Greater New Orleans Inc. has identified advanced manufacturing as a targeted sector for regional recruitment.

E. OIL AND GAS INDUSTRIES

The oil and gas industry employed approximately 3,700 workers in New Orleans in the first half of 2008. The city's largest industry employer is Shell Exploration and Production, a division of Shell Oil Company, which oversees the company's offshore Gulf of Mexico development and production activities. Other firms located in the city are primarily energy services firms, which provide engineering and oilfield services. A number of these firms based in New Orleans provide services in national and international markets. New Orleans' oil and gas industry is part of a much larger regional industry involved in exploration, production, services, refining, petrochemical production, and plastics manufacturing, which relies on petroleum as a feed stock. Most of the industry facilities and employment are located in areas outside the city.

Service Coordination

Workforce development and employee support services cut across a number of programs and organizations. This can make it difficult for individuals trying to obtain education and training, find a job, or secure related services to identify and access all of the services they need. Workforce development professionals acknowledge that no real system exists to serve clients in a holistic and user-friendly way. The challenges involved in addressing this issue include:

- Establishing a single, up-to-date resource inventory of all workforce development and related services.
- Conducting a thorough analysis of supply and demand of workforce development services to identify gaps and develop strategies to fill these gaps. It is likely that more resources are needed but also likely that there are more efficient ways to use existing resources.
- Reducing the fragmentation of current workforce development services, determining the most efficient scale of service delivery, and better defining the roles of various organizations.
- Developing a more client-centered system that better coordinates and integrates the services of different providers.
- Fuller engagement with employers to obtain better intelligence on labor market demand, more closely align training and other services with employer needs, and provide mechanisms to improve employer access to information about available services.
- Developing common performance standards for service delivery, practitioner training and certification, and better tracking of results to more effectively serve customers and improve credibility of the system for both job seekers and employers.

8

C. HIGHER EDUCATION

New Orleans' many higher education institutions make it the leading higher education center of Louisiana and the entire central Gulf Coast. It is critical for New Orleans' long-term economic future that its higher education base be sustained and strengthened. The city's colleges and universities have approximately ~~65,000~~ 63,000 full-time students and account for approximately 15,000 jobs in ~~40-11~~ institutions:

- Delgado Community College
- Dillard University
- LSU Health Sciences Center
- Loyola University
- New Orleans Baptist Theological Seminary
- Notre Dame Seminary
- Our Lady of Holy Cross College
- Southern University of New Orleans
- Tulane University
- The University of New Orleans
- Xavier University

In addition to educating the next generation of highly-skilled workers, the city's research universities, notably Tulane University, University of New Orleans, and LSU Health Sciences Center, conduct significant scientific and technical research, some of which is highly relevant to the city's established and emerging industries including energy, life sciences, and advanced manufacturing. All of the city's higher education institutions help to attract and retain talent to the city, and often provide civic leadership and a volunteer base for civic efforts through involvement in planning, urban design, public education, and small business development.

TEXT #14

December 14, 2011

City of New Orleans
City Planning Commission
1340 Poydras Street
New Orleans, LA 70112

DEC 14 2011 4:01:40

Dear Members of the Commission,

My name is Maura Sylvester, and I am a resident of the University section of Uptown New Orleans as well as a member of the Audubon Boulevard Association. I am writing to ask The Commission to deny some of the proposed changes to the Master Plan as requested by Tulane University.

As discussed in the Tuesday, December 14th meeting, I would ask the Commission to deny the text change in Text No. 14 which would amend the Master Plan, Volume 2, Chapter 9, to include "Higher Education" as an "industry to preserve and expand." The argument presented by Tulane is that it is an important economic engine for the community and therefore deserves this revision. While it cannot be denied Tulane has a large impact fiscally in our community, that alone does not allow the University carte blanche to "expand" at will. With the denotation of "industry", Tulane and other universities will be allowed to act with impunity regarding construction within their present footprint as well as in any future property growth. Clearly the leeway granted to the University with such a change in status would be detrimental to all surrounding neighborhoods.

As a member of the Audubon Boulevard Association, I categorically oppose the recently announced Tulane Stadium project. There is no question that this Stadium will permanently alter - for the worse - the surrounding residential community. I would ask the Commission to review any and all text amendments in this document which would impact the building of said stadium and deem any applicable text inappropriate due to lack of any public hearings on this matter as well as complete lack of information of the project details.

In regard to the Future Land Use Map (FLUM), I ask the Commission to reject Tulane's request for revisions of the FLUM from a Residential to Institutional designation in the Master Plan from PD3 - 7.13 through 7.9. Each of these individual properties are either adjacent to or surrounded by residential properties. If Tulane is allowed Institutional designation, it will be free to build with complete architectural freedom regardless of the residential neighborhood in which properties are located. I would argue that this also goes to the aforementioned text change No. 14. The freedom granted the University as an "industry" will allow easier designations to "Institutional" and eliminate the already weakened position of present neighborhoods.

As an example, 7.5B is, in essence, the city block of Broadway, Willow, Audubon Street and Plum Street. Tulane owns all the properties on Audubon Street and Plum. They have purchased property on Broadway. It is simply a matter of time before they

own the entire city block. Given this is a master plan for the 21st Century, it is realistic to consider this ownership more of a probability than a possibility. Should Tulane be given the Institutional designation at this time, they will be able to build yet another dorm, laboratory or perhaps parking garage on Broadway.

The University population is growing at break neck speed. The physical plant needs to expand and its footprint is full. Allowing Institutional designation on these properties located in residential blocks is the foot in the door for expansion throughout our neighborhood of a University campus. I ask that the Commission please remember that this is a neighborhood first, not just an extension of Tulane University.

Thank you for your time.

A handwritten signature in black ink, appearing to read 'Maura Sylvester', with a stylized flourish at the end.

Maura Sylvester
44 Audubon Blvd.
New Orleans, LA 701198

J. KEITH HARDIE, JR.
ATTORNEY AT LAW

TEXT # 14

757 ST. CHARLES AVENUE, SUITE 304, NEW ORLEANS, LOUISIANA 70130
PH: (504) 522-6222 FX: (504) 522-6226

December 14, 2011

Leslie Alley
City Planning Commission
1340 Poydras Street , 9th Floor ,
New Orleans, LA -70112

Dale Thayer
City Planning Commission
1340 Poydras Street , 9th Floor ,
New Orleans, LA -70112

✓ Yolanda W. Rodriguez
City Planning Commission
1340 Poydras Street , 9th Floor ,
New Orleans, LA -70112

Paul Cramer
City Planning Commission
1340 Poydras Street, 9th Floor ,
New Orleans, LA -70112

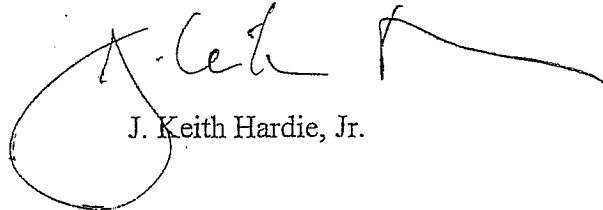
Re: N.O. Master Plan
File No. 4273

DEC 15 2011 PM 4:15

Dear Sirs and Madams:

Enclosed please find the Submission of Maple Area Residents Re: 2011 Proposed Master Plan Amendments.

Cordially,



J. Keith Hardie, Jr.

JKH/mh
Enclosure

cc: David Keiffer
Thomas Milliner

**SUBMISSION OF MAPLE AREA RESIDENTS
RE: 2011 PROPOSED MASTER PLAN AMENDMENTS**

12/13/11

- Re: 1. PD3-36/37 and PD3-114
2. PD3-105 and 106
3. PD3-10, 14, 16, 28, 29, 46, and 111
4. PD3-7R
5. Text Change # 14
6. Text Change # 16
7. PD3-3R

Maple Area Residents, Inc. ("MARI") submits the following regarding proposed Text Changes and FLUM changes:

1. **MARI supports PD3-36/37 and PD3-114 because they protect single family housing.**

These proposed changes will **lower** the FLUM density on **St. Charles Ave. between Audubon and Broadway** and on **Dunlieth Ct.** from **Residential Low Density Pre-War** to **Residential Single Family Pre-War**. This change better reflects existing land use, which is primarily single-family in these areas. In addition, it follows the preference indicated by area residents for more protection for single family residential uses. As discussed below, single family uses have worked well in the area, while non-single family properties have tended to become blighted and overcrowded.

2. **MARI opposes PD3-105 and 106 because they fail to protect existing single family residential land use.**

These proposed changes will **increase** the FLUM density on **Audubon St. between St. Charles and Hampson** and between **Maple and Freret** from **Residential Low Density Pre-War** to **Residential Medium Density Pre-War**. This change intensifies existing land use, which is primarily single-family in these areas. Residential Medium Density Pre-War will allow for four story apartment buildings. We see no existing four story apartment buildings, so this represents an increase in density. This increase in density is contrary to the preference indicated by residents in Master Plan meetings for more protection for single family residential uses. As discussed below, single family uses have worked in the area, while non-single family properties have tended to become blighted and overcrowded.

3. **MARI opposes PD3-10, 14, 16, 28, 29, 46, and 111 because they fail to support Single-Family land use and zoning.**

This position was overwhelming supported in District 3 Master Plan meetings where residents supported single family housing, but has not been reflected in the Master Plan.

Single Family land use and zoning should be supported in order to maintain and increase suitable housing for middle level employees of corporations seeking to relocate to New Orleans and to prevent the further blighting of Carrollton neighborhoods. Many corporations which decide not to relocate to New Orleans cite the lack of suitable housing for upper and middle level management. Such housing is available in the Carrollton/University area. In addition, a survey of multi-family housing in Carrollton will reveal that much of it is poorly maintained, with automobiles parked on lawns, garbage cans not taken in, landscaping either non-existent or not maintained. **See attached photos.** Single-family housing should be preserved and encouraged by applying lower density land use and zoning classifications throughout Carrollton. Proposed master plan amendments **PD3-10, 14, 16, 28, 29, 46, 105, 106, and 111** all will increase density and/or land use.

4. MARI opposes PD3-7R Tulane's proposed Master Plan Amendments (7.1 - 7.14), which will convert properties from residential to institutional use.

Tulane's proposal would change numerous properties from residential to institutional or to more intensive uses. This intensification should be opposed because it will further burden the University Area, but also because Tulane has provided little if any information concerning the proposed use of these properties has been provided.

Once it is adopted, the revised CZO § 15.5 will apparently require the submission of a General Development Plan for an EC (Educational Campus) District within 180 days after an EC district is approved. Unfortunately, this puts the cart before the horse. How can a map amendment – particularly one which changes the FLU drastically from low and medium density to Institutional -- be considered if the proposal contains no indication of how the property is intended to be used. Tulane's submission is bare bones, and provides no information as to its intent for these properties. The CPC and Council should demand more information before even considering these requests, and they should be deferred until after the new CZO is in effect.

Many of the properties for which Tulane seeks to change the FLU are in very quiet residential neighborhoods (see, e.g., the properties between Tulane and Calhoun St., in the 6300 blocks of Clara, Magnolia, and Robertson) and others are on the already stressed Broadway corridor. The incursion of an institutional use will be devastating to nearby residential properties. Tulane should be required to produce information as to (1) the exact proposed Institutional use of these properties, (2) the density and FAR of the proposed uses, (3) the impact those Institutional uses will have on traffic and neighboring residential uses, and (4) how it intends to mitigate traffic and noise.

Tulane's current parking plan does not work. The vast majority of the parking provided is on the Claiborne Ave end of the campus. Since this lot is far from most of the

administrative offices and classrooms, Tulane staff and students fill up the surrounding neighborhood and prevent visitors to Audubon Park from accessing the park from the front, as all parking spaces on St. Charles are occupied from 8 am to 5 pm, and others absorb all available parking in the already dense surrounding residential neighborhood. The proposed new campus stadium will aggravate this already severe parking problems when the stadium is used, but perhaps more importantly, would squander space that Tulane could use for future expansion. Until Tulane has come to grips with these parking issues, it should not be permitted to expand its footprint.

Finally, in light of the fiscal problems in the City, it must be noted that Tulane pays no taxes on property it owns. The CPC and Council should not approve the change in Land Use unless Tulane can show that these properties will be used for educational or charitable purposes in the near future.

5. MARI opposes Text Change # 14, Tulane's Proposed Text Change to the Master Plan.

Tulane has proposed a text change adding language to the Master Plan at Vol. 2, Chap. 14, p. 14.6 that would go beyond the preservation of land for large educational employers to "include general language to allow for expansion." (See attached "PD3-7R Tulane Amendments") In addition, Tulane has proposed Future Land Use Map Changes converting numerous properties in the University Area to more intensive land uses, including converting properties currently listed in the Master Plan as Residential Medium or Low Density to Institutional.

Tulane is using or planning on using much of its campus for sports facilities, including the existing practice field, baseball stadium and Athletic Department facility and the recently proposed new football stadium. These infrequently used facilities could easily have been built away from the already dense University neighborhood. As an inner City institution, Tulane should be preserving space for its principal educational mission.

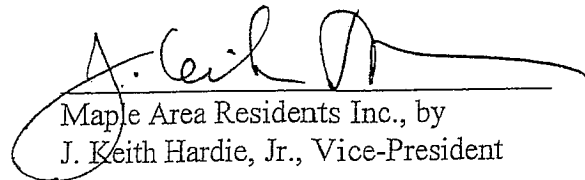
6. MARI supports the proposed Text Change # 16 to Chapter 14(C)(1), Chapter 14(C)(3), and Chapter 14 (D) to create the new FLU category of Mixed Use Low Density Restricted.

This new category could be applied to areas, like Maple Street, where there is already significant commercial development but where there are increasing problems with ABOs. As the CPC and Council are undoubtedly aware, residents in these areas frequently oppose zoning changes to BIA or other Districts which allow ABO's as conditional uses, because, even if the proposed business is not an ABO, once the zoning is changed, the site has the potential of becoming an ABO. The proposed category would eliminate that possibility, and encourage non-ABO business uses, which would help restore the balance between ABO and non-ABO uses in the neighborhood. Unfortunately, commercial use in mixed-use areas is not really "mixed" but becomes predominately ABO-related, driving

out other more neighborhood appropriate uses.

7. **MARI supports PD3-3R changing 8000 St. Charles Ave. from Residential Pre-War Low Density to Mixed Use Low-Density.**

This change will allow restoration of a multi-family building which is characteristic of architecture on St. Charles. The density and available parking are acceptable to the neighborhood.



Maple Area Residents Inc., by
J. Keith Hardie, Jr., Vice-President

Anthony P. Lorino
*Senior Vice President for Operations
and Chief Financial Officer*

January 31, 2012

City Planning Commission
1340 Poydras Street, 9th Floor
New Orleans, LA 70112
Attn: Paul Cramer (pcramer@nola.gov)

Re: Tulane University Response to City Planning Staff Draft Report on 2011 Master Plan Amendments

Ladies and Gentlemen:

Tulane University ("Tulane") submitted several amendment requests regarding both the text of the City of New Orleans Master Plan (the "Master Plan") and the Master Plan's Future Land Use Maps (each a "FLUM"). Tulane has reviewed the draft staff report of the City Planning Commission (the "Staff Report") that analyzes Tulane's requested amendments and offers the following comments in response.

TEXT AMENDMENTS

With respect to Tulane's eight requested Master Plan text amendment proposals, which are encompassed by Text Amendment 14 (proposals 14.1 to 14.8), the Staff Report generally recommends adopting Tulane's proposed text changes, either as submitted or with minor modifications. Tulane concurs with the recommendations in the Staff Report and requests that the City Planning Commission adopt the requested text amendments as modified in the Staff Report.

FLUM AMENDMENTS

The Staff Report recommends adoption of the following map amendments requested by Tulane: PD 1-3.R; PD 2-6.R; PD 3 - 7.1.R; PD 3 - 7.2.R; and PD 3 - 7.6.R. Tulane concurs with those recommendations in the Staff Report and requests that the City Planning Commission adopt those requested FLUM amendments.

With regard to the FLUM amendment requests described below, however, Tulane objects to the recommendations set forth in the Staff Report.

Tulane University Square (PD 3 - Items 7.14.R and 7.15.R)

Tulane acquired the Uptown Square property in 2001. At the time Tulane acquired the property, it was zoned as C-2, a commercial zoning designation that permitted high density mixed use

development with no height limit. Tulane acquired the Uptown Square property because it was a large, contiguous property, with ample room for redevelopment, and most importantly, the property was appropriately zoned for Tulane's intended use. But for the zoning, Tulane would not have purchased the property.

Following a number of interim measures, Tulane obtained City Council approval in May 2004 of a conditional use permit for Uptown Square that permitted high density mixed use of the property, with a height limit of one hundred thirty (130) feet. The approval of the conditional use permit followed a series of public hearings and intensive discussions and negotiations between Tulane, residents of surrounding neighborhoods and City officials. Unfortunately, because of Hurricane Katrina, Tulane could not pursue the development that was permitted by the conditional use ordinance within the applicable time frame set forth in the Comprehensive Zoning Ordinance.

Although Tulane has not pursued the development contemplated by the conditional use permit, Uptown Square (now known as University Square) is a vital and important part of Tulane's campus. It currently includes 80,000 square feet of occupied space utilized as commercial/retail space and institutional use, including university administrative offices and a medical clinic.

The applicable FLUM has designated a portion of the site as Institutional, and the remainder of the site either as Residential Low Density Pre-War or Parkland and Open Space for Square 19A. Tulane has requested that the FLUM be amended to designate the entire property as Mixed-Use High Density, which corresponds to the current zoning classification of the property, as well as the zoning classification in place when Tulane acquired the property.

The Staff Report, however, recommends that the site be classified as Mixed-Use Medium Density, solely because of prior objections to Tulane's lawful development of the property. The Staff Report's recommendation constitutes a pre-emptive down-zoning of property made in anticipation of potential concerns of certain area residents; it simply is not warranted under the circumstances. In fact, the Staff Report acknowledges that the site is suitable for a range of uses under Mixed-Use High Density because of its proximity to Leake Ave and Broadway St., its historical use as a molasses factory and then Uptown Square Shopping Center, its current use as University Square and planned future mixed-use redevelopment of the property. The Staff Report references past negotiations with surrounding residential neighborhood concerning maximum height and density requirements as the sole reason for recommending a medium density classification, but those negotiations resulted in the approval of a conditional use permit that allowed for a high, not a medium, density mixed-use development.

Tulane purchased the property because it allowed for high density mixed-use development, and Tulane then obtained the right to proceed with a high density mixed-use development. It is simply inappropriate to attempt to take away Tulane's legal development rights because there were prior concerns that were taken into account in the approval process for Tulane's high density mixed-use development of the property. Tulane participated in the appropriate process under the current Comprehensive Zoning Ordinance regarding the development of University Square and will participate in the appropriate process under the Draft Comprehensive Zoning Ordinance, once it is adopted, to engage its neighbors in discussions regarding the future use of the subject site, but those

discussions should occur in the context of the appropriate FLUM classification for the property, which is Mixed Use High Density.

**Tulane's Requested Map Amendments to Re-Designate
Properties Adjacent to Uptown Campus as Institutional**

Tulane has made map amendment requests to change the FLUM designation of several of its properties that are directly adjacent to its main, uptown campus from Residential Medium Density Pre-War or Residential Low Density Pre-War to Institutional.

General Comments

Tulane has requested that the land use designation of these properties be changed to Institutional in order to correspond to the land use designation for the remainder of the uptown campus. The subject properties are owned by Tulane and used for university operations in furtherance of Tulane's educational mission. To the extent that Tulane's uptown campus is classified as an Institutional use and these properties comprise portions of Tulane's uptown campus, they should have the same land use classification as the remainder of the uptown campus.

For each map amendment request, the Staff Report recommends that Tulane should submit a campus development plan. The Master Plan, however, does not contemplate or require specific development plans with respect to properties, and Tulane's request was not made in the context of any such plans. In addition, the proposed amendments have no effect on the parking plan that Tulane files with the CPC in accordance with the requirements of the current Comprehensive Zoning Ordinance and bear no relation to any specific proposed or planned facility. Again, the purpose of the amendments is simply to obtain consistency in the classification of the properties that comprise Tulane's uptown campus.

The Staff Report further cites an alleged "piecemeal encroachment" of Tulane into surrounding neighborhoods. This is an inappropriate characterization of Tulane's lawful use of property that are adjacent to or part of its Uptown campus. Out of approximately thirteen (13) properties covered by Tulane's amendment requests, Tulane has owned nine (9) properties for approximately forty (40) years or more and Tulane's acquisition of six (6) of the properties pre-dates the current zoning code.

Tulane's requests to change to the Institutional designation are also intended to more accurately reflect the sites' current uses. The Staff Report recommends adopting Tulane's request to change the designation of a site at 6324 S. Claiborne (request number PD 3 – 7.6.R) from Residential Low Density Pre-War to Institutional, but opposes Tulane's requests regarding the following properties.

Specific Properties

Tulane reiterates its general comments set forth above and offers the following additional comments and information on certain properties in and around its Uptown campus.

1. PD 3 – 7.3.R; site located at 1036 Broadway; change requested from Residential Medium Density Pre-War to Institutional.

This site is currently a vacant lot. Before the building that was originally on the lot was demolished, Tulane applied for and received a conditional use permit to renovate the structure for future use as a college police substation. Tulane still plans to use the site as a campus police substation and will re-apply for a Conditional Use permit once new site construction plans are finalized.

Tulane's request for re-designation of the site to Institutional is intended to more accurately reflect the future university use of the site as a campus police station. This re-designation is particularly appropriate at this site considering that all four corners of the Broadway and Zimple intersection contain non-residential properties supporting or targeting university operations. While the Staff Report concedes that the subject site would be suitable for a range of uses under Institutional due to its proximity to Tulane's main Uptown campus and proposed future use, the Staff Report still recommends retaining the current designation of Residential Medium-Density Pre-War. The Staff Report cites a concern that Broadway St. often is perceived by area residents as marking a transition between the university and the residential neighborhood of East Carrollton.

But, respectfully, this concern is unfounded in light of the other non-residential properties supporting university operations at the intersection at issue as well as in the adjoining block. Simply put, Tulane's proposed use of the site as a campus police substation is in line with the current use of other sites in proximity, and the Institutional designation most accurately reflects that use. The FLUM should accurately reflect the reality of the site's intended use.

2. PD 3 – 7.4.R; site located at 1030 Audubon; change requested from Residential Medium Density Pre-War to Institutional.

The site is currently used as the Accounting Office for Tulane. Again, Tulane's request for re-designation of the site to Institutional is intended to more accurately reflect its use as an Accounting Office.

3. PD 3 – 7.5.R; site located at 1315, 1319, 1323, and 1327 Broadway St.; change requested from Residential Medium Density Pre-War to Institutional.

Except with respect to 1323 Broadway, Tulane's ownership of its properties on this block dates to 1939. Tulane's request is intended to more accurately reflect current and future use of the parcels as supporting university operations. The Staff Report points out that the sites are immediately adjacent to existing Institutional land uses and that the two parcels owned by the university (1315 and

1323) may be suitable for a range of uses under Institutional, but the Staff Report recommends against Tulane's requested change.

Like Tulane's other properties adjacent to the university for which Tulane has made similar requests, these properties are already being used for university operations in harmony with the surrounding residences. The Staff Report's concern in this regard seems misplaced in light of the reality of the site's use.

4. PD 3 – 7.7.R; site located at 6320 Clara St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1960. Currently the site is used to support university staff housing.

5. PD 3 – 7.8.R; site located at 6318-6322 and 6326-6328 Magnolia St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired these properties in 1958. Currently, the sites are vacant.

6. PD 3 – 7.9.R; site located at 6324 S. Robertson Street.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1953. Currently, the site is vacant.

7. PD 3 – 7.10.R; site located at 6325 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1945. Currently, the site has one single family structure which serves as the University Law Annex Building.

8. PD 3 – 7.11.R; site located at 6321 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1951. It currently is used for faculty/staff housing.

9. PD 3 – 7.12.R; site located at 6309 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1972. It currently is used for faculty/staff housing.

10. PD 3 – 7.13.R; site located at 6301 Freret St.; change requested from Residential Low Density Pre-War to Institutional.

Tulane acquired this property in 1973. It currently is used for housing for visiting scholars.

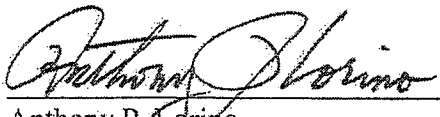
Conclusion

Tulane firmly supports the goals of the Master Plan, but for the reasons set forth above, Tulane believes that its requested amendments to the Master Plan are appropriate and justified.

On behalf of Tulane University, I again would like to thank the City Planning Commission members and staff for their diligent efforts in getting the Master Plan adopted and in reviewing the requested amendments to it.

Sincerely yours,

The Administrators of the Tulane Educational Fund
(Tulane University)

By: 
Anthony P. Lorrino
Its: Chief Financial Officer and Senior Vice-
President for Operations

January 26, 2012

City Planning Commission
1340 Poydras Street
9th Floor
New Orleans, LA 70112

**Re: New Orleans Master Plan - 2011
Text Amendments / FLUM Changes**

Dear Sirs / Madams:

My name is Maura Sylvester and I am a member of the Audubon Boulevard Association (ABA) as well as a resident of the University section of Uptown New Orleans. I am writing the City Planning Commission (CPC) to address a proposed text change to the Master Plan as well as proposed changes to the Future Land Use Map (FLUM) as presented by Tulane University.

Proposed Text Change

Tulane University requests Higher Education be included in the New Orleans Master Plan as an industry to preserve and expand (Amendment #2 - Vol.2, Chapter 9, page 9.1 #3 and 9.9A). The CPC staff draft has recommended this change stating: "...the recommended text change would add information on higher education specifically as an established industry, thus giving it increased prominence as an industry that contributes to local prosperity and opportunity."

The word "industry" is not defined within the Master Plan *per se*, so for purposes of discussion, I have enlisted the definition presented by the Merriam-Webster Dictionary.

Industry:

- a** : systematic labor especially for some useful purpose or the creation of something of value
- b** : a department or branch of a craft, art, business, or manufacture; *especially* : one that employs a large personnel and capital, especially in manufacturing
- c** : a distinct group of productive or profit-making enterprises
- d** : manufacturing activity as a whole <the nation's *industry*>

The fact that Tulane University is the largest private employer in the city of New Orleans does not change what the University is - a center for higher education to help students intellectual growth - not an "industry" for manufacturing. Permitting higher learning institutions to be labeled "industry" not only ignores their core purpose, it actually infers that core purpose is changing and allows broad discretion

by various governing bodies in regulating ordinances pertaining to these universities.

To date, Tulane University has not requested any of its properties be designated "industrial." However, I believe future intent to use the label of "industry" to achieve greater flexibility in zoning on University properties can be found in Tulane's representatives' comments during the January 10th CPC meeting. I ask the CPC to review Tulane's Senior Vice President for Operations and Chief Financial Officer Anthony Lorino's comments regarding the staff's rejection of proposed FLUM changes. Mr. Lorino noted the staff's failure to support Tulane's proposed changes from residential to institutional on properties surrounding the University as inconsistent with the staff's acceptance of the proposed text change to "preserve and strengthen (expand)" - that is, the "industry" label proposal within the Master Plan. I believe this shows future intent to use the "industry" label to achieve greater flexibility in zoning on all properties presently owned by the University as well as, no doubt, all properties acquired in the future.

An example of harmful and direct impact by an industrial zoning change on residential neighborhoods can be found in the proposed Tulane Community Stadium. It is to be built, quite literally, in the ABA's neighborhood backyards. As planned, this proposed stadium will be almost double the capacity of the New Orleans Arena and will be placed in the middle of a residential neighborhood. Should the change from "higher education" to "industry" be adopted by the CPC, there is no doubt Tulane will push for zoning giving greater allowances in the building of this property in terms of set backs, height requirements, and noise and light ordinances. It may appear a simple text change in an overall Master Plan for the city, but this text change - in the future - will allow universities whose business is education, not industry, to behave in whatever manner they see fit under diminished City oversight and relaxed regulation. The enormous change in leeway granted by this is inherent and obvious in the wording. The staff draft report states "residential and industrial uses have historically been isolated from one another in order to protect residents from the intense impacts that have historically been associated with industrial uses." The residents who live, work, and play adjacent to these universities have depended upon these defined protections and deserve continuation of the protection in order to protect both quality of life and property values.

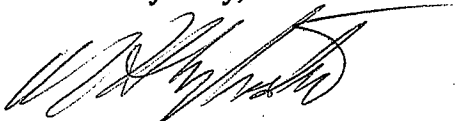
Proposed Changes to Future Land Use Map #PD3-7R

I thank the staff for their work and their insights concerning Tulane University's requests to change multiple properties within their purview to institutional from existing residential zoning. In upholding the residential zoning of these properties, the staff's recommendation supports the continuation of the desirable and high quality of life historically enjoyed by residents, all New Orleanians, and visitors in the neighborhoods surrounding the University.

Tulane University representatives state these properties are adjacent and contiguous to the University (zoned institutional) and have been owned and operated by the University, sometimes for decades. They argue these properties should be zoned institutional in accordance with properties central to the University. What this argument fails to address is that these properties were purchased by the University with full knowledge the properties were part and parcel of a residential neighborhood. The properties are contiguous with a residential neighborhood; they are a residential neighborhood. The citizens of our city reside on these streets and have for generations. Now that the University is under pressure to expand its campus footprint, it wishes to ignore the fact that the properties have always been zoned residential.

Succinctly, Tulane University sits within a residential neighborhood. There are parameters and boundaries that must be honored for the benefit of the neighborhood and the city, or those neighborhoods will simply and inevitably become university annexes and disappear. It is disingenuous for the University to argue that Tulane is not acquiring or expanding but simply re-labeling properties to be "consistent with the campus itself." The CPC's staff recommendation to continue to hold these properties as residential stops the University from demolishing existing residential properties to develop whatever it deems fit under the institutional label. This recommendation allows the University section of Uptown New Orleans to maintain and preserve from extinction its residential history, architectural beauty, and neighborhood working population.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'Maura H. Sylvester', written in a cursive style.

Maura H. Sylvester
44 Audubon Blvd.
New Orleans, LA 70118

Text 14

January 30, 2012

The City Planning Commission
1340 Poydras Street, Suite 900
New Orleans, LA 70112

JAN 31 2012 PM 1:27

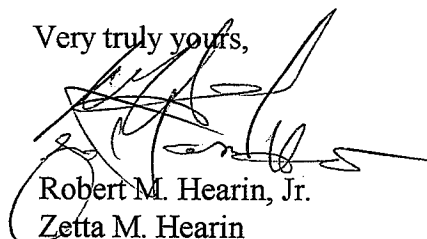
In Re: Modification of the New Orleans Master Plan re: Established Industries

Dear Planning Commission:

We live at 6110 Marquette Place, New Orleans, LA 70118, and would like you to know we oppose changing the City's Master Plan so as to designate colleges in our neighborhood, including Tulane University and Loyola, as "Established Industries".

We are very much supporters of the institutes of higher learning in our neighborhood, however there is no good reason for them to expand further into the neighborhoods adjacent to the schools. We urge you to recommend to the City Council that the Master Plan not be amended as above.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert M. Hearin, Jr.", with a stylized flourish extending to the right.

Robert M. Hearin, Jr.
Zetta M. Hearin

RMHJr & ZMH/dl